



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

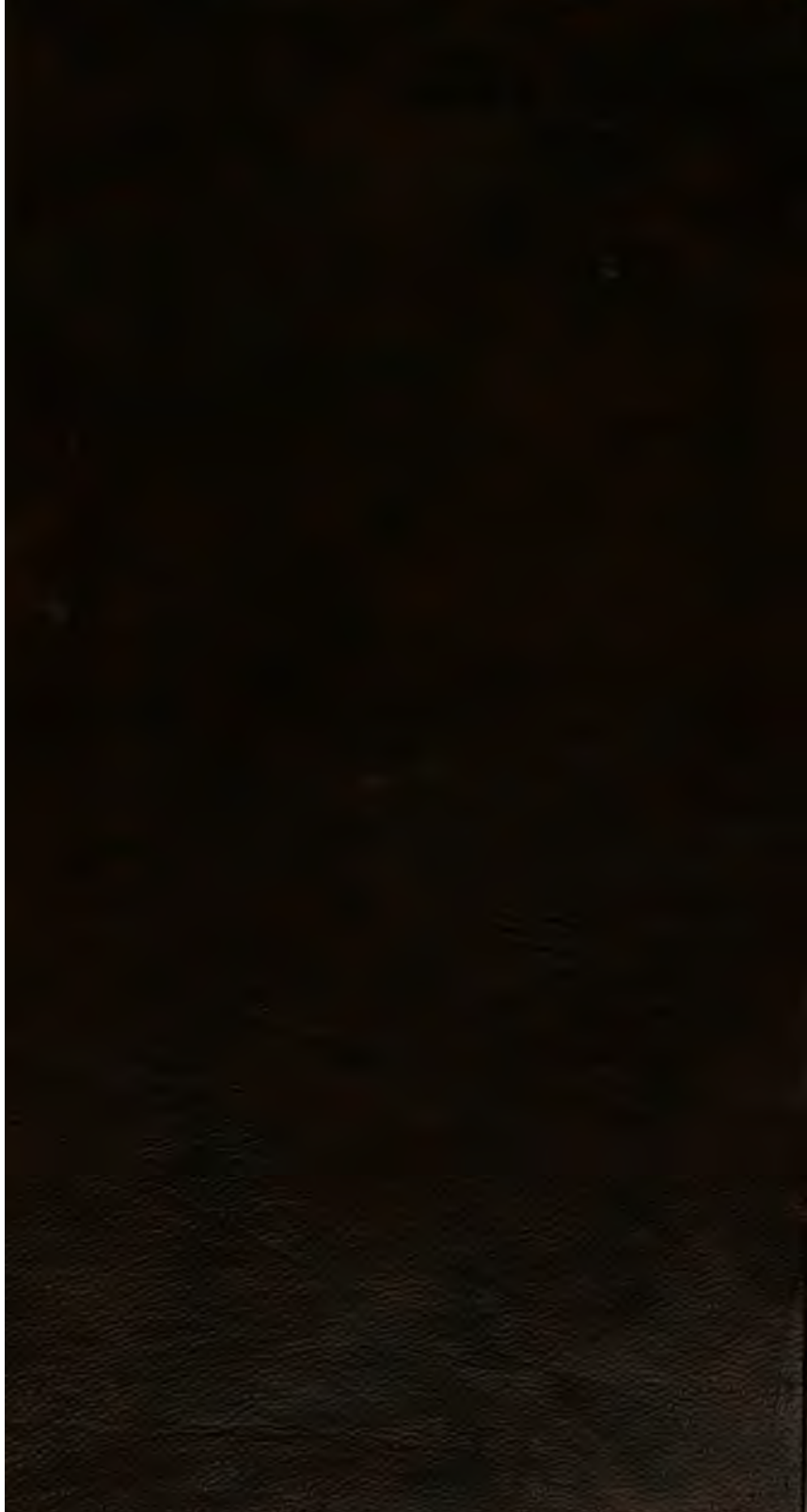
Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

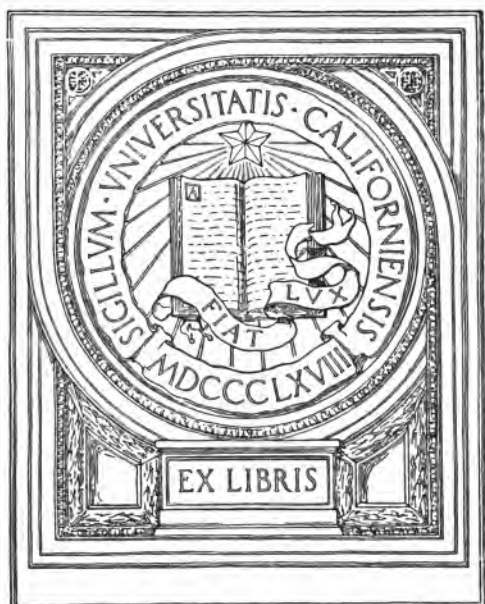
We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

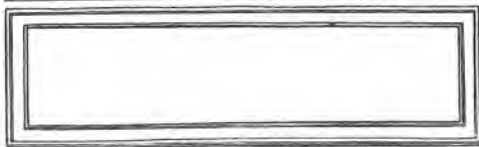
About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

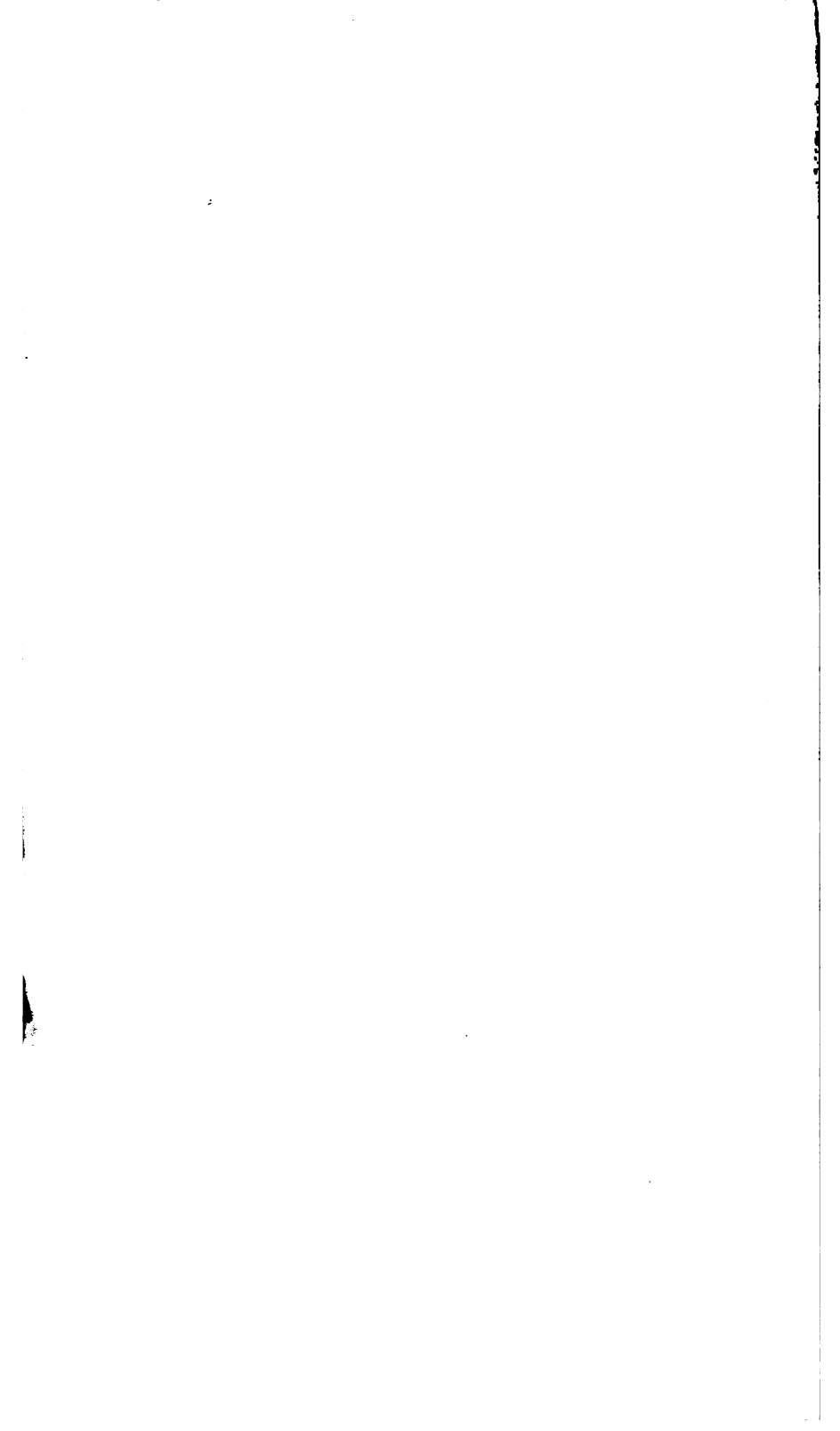




EX LIBRIS







THE
MERCHANT'S AND SHIPMASTER'S
ASSISTANT;
CONTAINING INFORMATION USEFUL TO THE
AMERICAN MERCHANTS, OWNERS,
AND
MASTERS OF SHIPS,

IN WHICH THE FOLLOWING SUBJECTS ARE PARTICULARLY ELUCIDATED :

- | | |
|---|--|
| 1. Ship Accounts. | 14. Pensions. |
| 2. Useful Tables and Miscellaneous Information, including Moneys, Weights and Measures; Tables of Cordage, and Rules for calculating Tonnage. | 15. Crimes. |
| 3. Exchanges. | 16. Slave Trade. |
| 4. Bills of Exchange. | 17. Fisheries. |
| 5. Factors and Factorage. | 18. Ships. |
| 6. Freight and Demurrage. | 19. Navigation Laws. |
| 7. Insurance, Averages, &c. | 20. Pilot Laws. |
| 8. Owners. | 21. Quarantine Laws. |
| 9. Masters. | 22. Passenger Laws. |
| 10. Seamen and Wages. | 23. Revenue Cutters. |
| 11. Consuls. | 24. Custom-House Regulations. |
| 12. Hospitals. | 25. Duties. |
| 13. Navy. | 26. Drawbacks. |
| | 27. Fines and Forfeitures. |
| | 28. Commercial Regulations in the West Indies and South America. |

TOGETHER WITH THE TARIFF FOR 1832.

BY JOSEPH BLUNT,

COUNSELLOR AT LAW.

NEW-YORK:

PUBLISHED BY E. & G. W. BLUNT, No. 154 WATER-STREET
CORNER OF MAIDEN-LANE. :

1832.

HE 573

B 6

Southern District of New-York, ss.

BE IT REMEMBERED, That on the twenty-sixth day of February, in the forty-sixth year of the Independence of the United States of America, EDMUND M. BLUNT, of the said District, hath deposited in this office the title of a book, the right whereof he claims as proprietor, in the words following, to wit:

"The Merchant's and Shipmaster's Assistant; containing information useful to the American Merchants, Owners, and Masters of Ships; in which the following subjects are particularly elucidated:—1. Ship Accounts. 2. Useful Tables, and Miscellaneous Information, including Moneys, Weights, and Measures, Tables of Cordage, and rules for calculating Tonnage. 3. Exchanges. 4. Bills of Exchange. 5. Factors and Factorage. 6. Freight and Demurrage. 7. Insurance, Averages, &c. 8. Owners, 9. Masters. 10. Seamen and Wages. 11. Consuls. 12. Hospitals. 13. Navy. 14. Pensions. 15. Crimes. 16. Slave Trade. 17. Fisheries. 18. Ships. 19. Navigation Laws. 20. Pilot Laws. 21. Quarantine Laws. 22. Passenger Laws. 23. Revenue Cutters. 24. Custom-house Regulations. 25. Duties. 26. Drawbacks. 27. Fines and Forfeitures. 28. Commercial Regulations in the West Indies and South-America. Compiled, revised, and corrected, by Joseph Blunt, Counsellor at Law."

In conformity to the Act of the Congress of the United States, entitled "An act for the encouragement of Learning, by securing the copies of Maps, Charts, and Books, to the authors and proprietors of such copies, during the time therein mentioned." And also to an Act, entitled "an Act supplementary to an Act, entitled an Act for the encouragement of Learning, by securing the copies of Maps, Charts, and Books, to the authors and Proprietors of such copies, during the times therein mentioned; and extending the benefits thereof to the arts of designing, engraving, and etching historical and other prints."

JAMES DILL,

Clerk of the Southern District of New-York.

PREFACE.

To a mercantile community, it cannot be necessary to offer any apology for the publication of the following pages. If the wants of the public have not been wholly misconceived, a work of this nature has long been imperiously required by the shipmaster, the merchant, the lawyer, and the statesman.

In the first chapters is collected such information as will be of daily use to mercantile men of all classes. The weights, and measures, and currencies of those countries, with which we have the most intercourse, are there detailed in suitable order.

As much of the common law, relative to bills of exchange, factorage, and freight, as is necessary to guide a person in the ordinary course of business, is next presented. The law of insurance, and that prescribing the rights and duties of owners, masters, and seamen, are inserted more at length, because of the difficulty of procuring advice on those subjects when it is most wanted.

A digest is then given of the laws of Congress, prescribing the duties of consuls, the regulations for marine hospital, the United States navy, pensions, the fisheries, the registering and licensing of vessels, together with the navigation laws, and such acts as define any crimes which may be committed at sea or in harbour, and within the jurisdiction of the United States' courts.

The commercial statutes of the different states follow the acts of Congress. The utility of collecting these laws into one volume, must be manifest to every shipmaster.

There is none of this class but has often experienced the difficulty of ascertaining the various legal provisions in those Atlantic states he has been compelled to visit in the prosecution of his business. Without regarding the different legislative jurisdiction to which he is subjected at different times, a master naturally acts as if the same law was in force throughout the United States, and becomes liable to penalties, which a little acquaintance with the statutes would have enabled him to avoid. In enacting laws relating to commerce, the state legislatures have evidently seldom, if ever, consulted the provisions on the same subject in the sister states; and in this independent method of legislation, a system discordant in its provisions, overburdened with details, and incongruous in itself, has grown up with the increase of our trade, to the vexation and dismay of the owners and masters of ships. In this work, they will find under their proper heads, such laws as most immediately affect them, and if these are not in every state best calculated to promote the interests of commerce, still an acquaintance with their provisions will prevent them from incurring penalties, to which they often innocently render themselves liable.

The pilot, passenger, quarantine, and wreck laws, of each state, are here inserted, for the use of shipmasters; and for their use, as well as for the convenience of merchants, all the laws relating to the custom-house are placed in several chapters, divided not according to the date of their passage, or the number of the section, but according to the nature

of the subject which they profess to regulate. For instance, the various provisions concerning drawbacks are placed in one chapter—the laws dividing and regulating the collection districts are digested and condensed, in a table, which at one view, shows the extent of the district, its various ports of entry and delivery, and its local regulations and privileges. This same system of arrangement has been adopted with regard to all the acts of congress relating to commerce.

The labour of this compilation and arrangement can be known only to the Editor; their utility can be easily appreciated by all who have been subjected (in order to ascertain the existing law on any subject connected with the custom-house,) to the laborious and tedious examination of the Act of the 2d of March, 1799, which is the basis of our revenue system, and the numerous alterations and additions which have been made to it during the last twenty-two years at each session of congress.

Such commercial regulations in those ports with which our trade is chiefly carried on, as promised to be permanent, have been inserted in a separate chapter. It is to be hoped that the utility of this part of the work will be equivalent to the labour bestowed upon it. Much information which was procured from an attentive perusal of the voluminous works upon the commercial system of Great Britain; the decrees of the different American and European governments; and from the merchants and shipmasters trading with those ports, is there presented in a small compass.

The regulations of the West-India authorities, and newly established governments in Spanish America, have been inserted as far as they could be procured from a conviction of the importance of the growing trade of those countries to the American merchant. From the existing state of affairs, both in the United States and in Europe, we may rationally conclude, that from this time, next to the coasting trade, our intercourse with that part of the world will be the most important branch of our commerce.

The supplies which were formerly required by the contending armies or Europe, are no longer wanted. Those same hands which were then supported by government from the contributions of the industrious, and whose efforts were solely devoted to the destruction of capital, are now employed in productive labour. The necessary consequence of this change in the direction of the efforts of so large a class of society, is an excess of the means of subsistence in Europe; and a further consequence is a balance of trade against the United States, which formerly paid for the manufactures of the old world with the agricultural products of the new. It cannot however be doubted, that England, with which we have more commerce than with any other European nation, will cease to supply the United States with manufactures, when the productions of our soil are refused an entrance into European ports; and this will take place whether this refusal be owing to legal prohibitions, or to the want of a market; or in other words, when our productions are not wanted in Europe, we must change the direction of our productive industry, or find new purchasers.

The produce of these new countries, whose resources are so rapidly unfolding, is, in some respects, similar to our own, and therefore will only serve to increase the surplus of an overflowing market. The only extensive trade, therefore, that can be carried on with them, is the exchange of manufactures, for the productions of a rich soil, in a tropical

climate; and it appears providential, that at the time when the demand for our produce has diminished, and the industry and capital of the nation have been forced into manufactories, that a great and fertile continent, all access to which, has heretofore been prohibited by the jealousy of European monopoly, is thrown open to the commercial enterprise of the United States. A new world is given to American commerce, abounding with precious metals, dye-woods, and all those rich productions of the Antilles, which have rendered the control of their trade so desirable to European cupidity. While on one side their produce is adapted to our wants; on the other, the denser population and greater advancement of our citizens in the arts of civilization, render us capable of supplying theirs. The relative situation, the commodious and numerous ports, the mercantile capital and skill of the United States, designate them as the carriers of that trade, which must subsist between a nation eminently well fitted by an industrious and ingenious population, the possession of raw materials, a salubrious climate, and abundance of water powers, for a manufacturing people—and the inhabitants of a fertile soil in a hot climate, where nature is active and bountiful, and art feeble and inefficient.

At the very time when their independent governments are developing their resources, and an increasing but uncultivated population, requires the manufactures of nations more skilled in the arts of civilized life, the inhabitants of the United States are compelled from the want of employment to become manufacturers. Between countries thus situated, a commerce mutually beneficial may exist, but measures must be taken to improve the advantages of situation and circumstances, and above all, the advantage of that jealousy of European monopoly and interference, which has been caused in the inhabitants of North and South America, by the selfish injustice of their *mother* countries.

If these advantages are not speedily improved, the market will be occupied by the capital and industry of Great Britain. That kingdom has expended too much blood and treasure for the establishment of her maritime supremacy, and has too often, and too constantly manifested her disposition to monopolize the commerce of the world, to remain supine when so extensive and profitable a trade is offered to the first occupant. In the commerce with South America, she will be our rival, and the only rival we have cause to fear. Her mercantile and manufacturing capital and skill her boundless ambition and systematic commercial policy, are all causes of inquietude, which even our natural and incidental advantages cannot wholly remove.

To prevent her from appropriating the trade of the whole continent, as she has already that of Brazil, her policy must be met by one equally active and sagacious, and the result may then be safely left to the enterprise of our merchants. The commercial system of the United States is diametrically opposite to that of Great Britain. Her's is one of monopoly and exclusive privilege, ours is that of reciprocity and freedom of trade. Without violating the fundamental principle of a policy, as prosperous as it is wise, we cannot attempt to secure, by legal restrictions, the monopoly of the South America trade, but we may obtain for our vessels and goods an admission into their ports upon the same terms as their own.—Even more than this may be accomplished. By early impressing their rulers with the wisdom of the commercial policy of the United States, they may be induced to adopt it, and to join with us in hostility to the system of colonial monopoly.

Should these newly established powers prohibit all intercourse with those countries or colonies, whose ports were not usually open, a fatal blow would be given to the restrictions on the West-India trade. Europe could not then hope to escape the effects of retaliatory measures, by supplying her colonies from one country, when their intercourse with another should be prohibited, and thus to gain the victory in a commercial warfare, by alternately exciting the hopes and jealousies of the American states. Acting with united effort in the common cause of commercial freedom, the powers of the new world would soon find their strength, and power to break the colonial thralldom, to which this continent has so long been subject; and European capital would not then engross more than its just share of American commerce. We should not then see the productions of this country travelling from port to port, a circuitous route, to their natural market, until the cost to the consumer is more than quadrupled by the expense of transportation. The producer and consumer in a direct intercourse with each other, would find their mutual profit; and the independence not of the United States only, but of the American continent, would be complete. That this state of things will ultimately arrive, there can be little doubt, but its progress may be accelerated by the prompt and active interference of the United States. This republic now stands at the head of those powers, favouring the principles of a free trade, and at this time is peculiarly gifted with the means of victory. Its proximity to the South American independencies, and its situation between them and Europe, enable it to exercise a constant control over their trade.

Its numerous and excellent harbours, and salubrity of climate, the freedom of its institutions, and the equality and justice of its laws, designate it as the natural depot and place of exchange of the manufactures of the old world for the productions of the new. In that trade it will be enabled by its extensive and fertile territory, to take part as the rival of the South American states in the exchange with Europe; and the industry and ingenuity of its citizens, the possession of raw materials, and its capabilities as a manufacturing nation, will enable it with equal ease to rival the European powers, in supplying the South American continent with manufactures.

The United States must engage in this commerce, either as the rivals of South America, or of Europe. That more national profit may be gained in trading with young and flourishing nations, possessing a rich and virgin soil, which abounds with the most valuable productions of the earth—than with old countries overflowing with population, and skilled in all the arts of trade, is beyond the possibility of doubt. The relative situation, wants, and productions of the two continents; the peculiar circumstances under which this republic is now placed; the mutual sympathies of all Americans, inspired by the recollection of sufferings from the same source, and in the same cause of American independence, all demand of our government the cultivation of the commercial intercourse between the United States and the sister republics of the adjacent continent.

The measures proper to be adopted for this purpose, are left to the wisdom of Congress. Our statesmen in this work, are presented with a compendium of the commercial laws of the United States and of the newly established powers. By comparing them together, they can perceive wherein our system is deficient, or unsuitable to this trade, and to what burdens our vessels are subject while in the ports of South Ameri-

ca, in consequence of their local regulations. The defects in our own laws can be corrected at home; the burdens imposed upon us by theirs, can be removed only by negotiation. The operations of trade will be much facilitated by the adaptation of one system to the other, and by removing those obstacles which have been presented to our merchants by the absurd regulations of Spain, many of which are continued by the independent governments from the force of habit. If by presenting this abstract of the commercial regulations of so many nations in one volume, the Editor can attract the attention of our statesmen to this important branch of national policy, this compilation will not be without its utility, nor his labour without its reward. It is, however, as a work of daily reference to practical men, that it is given to the public, and every exertion has been made to procure correct information upon the multifarious subjects mentioned in the table of contents. The works to which he has been principally indebted, are Abbott on Shipping, Jacobson's Sea-laws, Tuckey's Maritime Geography. Universal Commerce by the editor of Mortimer's Commercial Dictionary, the Shipmaster's Assistant by D. Steel, Esq. the Merchant's Assistant, Kelly's Cambist, the reports on Weights and Measures by the Hon. J. Q. Adams, and the Weekly Report by P. P. F. Degrand. As his object was to present as much mercantile information as possible in a small compass, he has extracted largely from the above works whenever abridgements could not be made with advantage. Three-fourths of the following pages, however, have been compiled from our statute books; from documents in the custom-house; and from the decrees and regulations of the various governments of America and Europe. They are presented to the public with the assurance, that no diligence has been spared, to render them as free from errors as the nature of the undertaking would admit.

TABLE OF CONTENTS.

CHAPTER I.—Ship Accounts—Table of useful articles—Rule for ascertaining tonnage—Tables of Cordage and Chain Cables,	1 to 17
CHAPTER II.—Weights and Measures of various parts of the world—Tables of ditto.	18 to 43
CHAPTER III.—Exchange—Tables of currency of the United States—Moneys of various parts of the world—Manner of keeping, accounts in ditto—Days of grace and usages of the principal commercial cities,	44 to 68
CHAPTER IV.—Bills of Exchange,	68 to 72
CHAPTER V.—Factors and Factorage,	72 to 75
CHAPTER VI.—Freight,	75 to 79
CHAPTER VII.—Insurance—Policy—Construction of Policy—Perils of the sea—Capture—Detention—Barratry—Partial loss—General average—Salvage—Abandonment—Fraud—Seaworthiness—Illegal voyages—Re-assurance—Deviation—Warranty—Premium—Bottomry, &c	79 to 114
CHAPTER VIII.—Owner,	114 to 116
CHAPTER IX.—Master,	116 to 124
CHAPTER X.—Seamen—Act of Congress—Act of Virginia and of Georgia—Marina Court,	124 to 129
CHAPTER XI.—Consuls,	130 to 131
CHAPTER XII.—Hospitals,	132
CHAPTER XIII.—Navy—Regulations for government—Court Martials—Prize Money—Pay—Flag,	132 to 139
CHAPTER XIV.—Pensions,	139 to 141
CHAPTER XV.—Crimes on the high seas—Treason—Murder—Piracy—Maiming—Larceny—Perjury—Sinking vessels,	141 to 146
CHAPTER XVI.—Slave trade—Kidnapping,	146 to 149
CHAPTER XVII.—Fisheries,	149 to 151
CHAPTER XVIII.—Ships—Registered—Licensed—Coasting trade—Documents for American and for Neutral,	152 to 167
CHAPTER XIX.—Navigation laws,	167 to 172
CHAPTER XX.—Pilot laws of the several United States,	172 to 200
CHAPTER XXI.—Quarantine laws of the several United States	200 to 238
CHAPTER XXII.—Passenger laws of the several United States,	238 to 254
CHAPTER XXIII.—Revenue cutters,	254 to 255
CHAPTER XXIV.—Custom house regulations—Coasting trade—Collection Districts—Vessels arriving—Imports—Manifests—Invoices—Entries—Wines and landing goods—Goods remaining on board—Appraisement—Collection of duties—Foreign moneys—Tares, &c.—Clearances—Foreign vessels—Duties of custom house officers—fees,	255 to 331
CHAPTER XXV.—Tariff of the United States,	332 to 352
CHAPTER XXVI.—Drawback—Bounty,	352 to 368
CHAPTER XXVII.—Fines and forfeitures—Release from ditto,	368 to 371
CHAPTER XXVIII.—Commercial regulations of the principal ports in North and South America, West and East Indies, Europe, Asia, and Africa,	371 to 442
CHAPTER XXIX.—Wreck laws of the Atlantic States	443 to 448
APPENDIX : Custom-House regulations—Unloading vessels over 300 tons—Law concerning Florida—Post Office law—Table of British invoices, reduced to federal currency, with ten per cent. added—Rules for calculating square yards in dry goods—Privileges of recorded ships taken away—Charleston passenger law—Virginia pilot law—Commercial regulations of Spain—East India weights, and measures, and currencies,	449 to 456
Table, showing the invoice prices of Goods in British currency, and the amount in Federal currency, &c.	

THE
SHIP-MASTER'S ASSISTANT,

&c.

ON DISBURSEMENTS AND OTHER SHIP ACCOUNTS.

BOOK-KEEPING is the art of placing our accounts by method, in such an easy manner, that the whole, or any part, of the money received and advanced may, with the greatest clearness, be ascertained in a very little time.

The ship must be Dr. for whatever is paid upon her account, and must have Credit for whatever is received upon her account.

It is recommended to every captain to keep a small memorandum-book, to set down the money as he lays it out, both for himself and his ship; likewise the money which he receives, lest at any time it slip his memory and be forgotten: then these accounts can easily be entered into a larger book, at leisure. By this method he can easily tell whether any thing has been omitted or not, by adding up the money paid, and taking it from the money received: if what remains be equal to the cash he has in hand, it is plain that nothing has been forgotten.

Many losses have frequently fallen upon owners of ships, from want of proper care being taken by their captains in signing bills of lading. When there is the least reason to suspect the quantity is not right, or that there is any damage in the goods, always write,

(If hemp, flax, bars of iron, &c.)

Quantity and conditions unknown: and three bundles of hemp in dispute: if on board, to be delivered.

Thomas Smith.

(If linen, yarn, bales, hardware, &c.)

Insides and contents unknown to

Thomas Smith.

(If tar, wines, brandy, turpentine, &c.)

Contents and conditions unknown: not to be accountable for leakage: and it is agreed that the freight shall be paid for the quantity shipped.

Thomas Smith.

The following accounts and examples will be sufficient for any voyage whatever, to render a captain's accounts and transactions concise and pleasant to himself, although they be limited to one voyage only: but, if he go to any other ports before he return home and settle his accounts, these are plain enough to give him a perfect idea how to settle them for such voyages, how long soever they may happen to be, as in this voyage, money is disbursed and received at New-York, Hull, and Liverpool.

The Ship Master's Accountant.

Dr.

Peter Sennitt, Mate on board the

1821			\$	cts.
April 3	To cash paid in New-York.....		5	88
May 10	To cash at Liverpool.....	\$2		
12	To ditto.....	1		
	To two pair of shippers.....	1		
14	To one piece of linen.....	4		
18	To cash.....	1	68	
				9 68
June 17	To 5 gallons of brandy.....		14	
	To three pounds of tea.....		4	64
July 17	To cash at New-York.....		0	44
	To one jacket.....		2	44
	To monthly pay to his wife, paid by the } owner.....		8	88
18	To balance paid in full.....		16	24
				<u>\$62 20</u>

	<i>George Wilkinson, Cook.</i>	Dr.		
May 1	To cash at Liverpool.....		16	44
June 17	To brandy at Hull.....		5	55
July 31	To balance paid in full.....		22	41
				<u>\$44 40</u>

	<i>John Smart, Seaman.</i>	Dr.		
June 17	To one pound of tea.....		1	67
July 22	To cash, at New-York.....		2	22
25	To balance paid in full.....		32	77
				<u>\$36 66</u>

	<i>Joseph Howell, Seamen.</i>	Dr.		
July 25	To cash paid in full.....		\$36	66

The Ship-Master's Accountant.

3

Atlantic, with Thomas Smith.

Cr.

1821

\$ cts.

Entered into pay 1st April.

By wages, from the first of April to the first of
August, four months, at \$15 55-cts. per month

62 20

Contra Creditor.

By wages, from the first of April to the first of
August, four months, at \$11 10 cts. per month

\$44 40

Contra Creditor.

By wages, from the fifth of April to the 26th of
July, three months and twenty days, at \$10 per
month

\$36 66

Contra Creditor.

By wages, from the 5th of April to the 26th of
July, three months and twenty days, at \$10 per
month

\$36 66

The Ship-Master's Accountant.

1821	<i>John Vowell, an Apprentice.</i>	\$ cts.
July 18	To cash, at New-York.....	1 11
31	To balance of four months' wages, at \$1 11 cts. per month.....	3 33
		<u>\$4 44</u>
<hr/>		
	<i>Richard Moatly, an Apprentice.</i>	
April 2	To jackets and a shirt.....	2 10
June 17	To a pound of tea, Liverpool.....	1 15
July 31	To balance of wages.....	2 67
		<u>\$5 92</u>
	By four months' wages, at \$17 76 cts. per year, April 1 to August 1.....	\$5 92

SEAMAN'S RECEIPT.

Received, of Capt. Thomas Smith, master of the Atlantic of New-York. \$62 20 cts. ; which is in full for wages, and in satisfaction of all other claims and demands whatsoever, on the said captain and owners, during the time of my service on-board the same ship, or any other ship belonging to the same owners. Witness my hand, at New-York, this first day of August, 1821.

PETER SENNIT.

\$62 20

Witness, BILTON METCALF.

BILL DRAWN AT LIVERPOOL.

\$88 80

Liverpool, 16th of June, 1821.

Six weeks after date, pay to Mr. Thomas Lively, or his order, \$88 80 cts. value received for the use of the Atlantic, and place the same to the account of

THOMAS SMITH.

To John Thompson, Esq.
New-York.

Account of Disbursements for the Ship Atlantic, on a Voyage to Liverpool, and back.

BY THOMAS SMITH, MASTER.

		<i>Commenced April 1, 1821.</i>	\$	cts.
1821				
April 1	To seamen's contract.....		3	88
	To forty tons of ballast		11	11
3	To men heaving in ditto.....		3	11
	To greens and potatoes		0	44
	To two handspikes.....		0	44
4	To the sail-maker's bill.....		83	11
	To the smith's bill.....		17	63
	To mending a stove		0	81
5	To the baker's bill		17	76
	To the butcher's bill		25	63
6	To butter and sugar for sea-steek.....		3	98
	To a dozen bottles of porter		1	44
	To waterage and coffee-house expenses		0	91
	To watermen		1	17
7	To fresh fish.....		0	44
	To charges of clearing		4	44
<i>At Liverpool.</i>				
11	To greens ..		0	44
	To bread.....		2	36
	To a fowl.....		0	26
			179	36
<hr/>				
April 24	<i>At Hull.</i>			
	To postage of a letter.....		0	22
June 16	To 10 gallons of brandy, for the ship's use		11	10
	To three pounds of tea		2	67
	To pilotage.....		4	44
	To port-charges up and down.....		17	76
	To fresh meat.....		2	22
	To butter, sugar, &c.		1	55
	To anchor a shore-boat		2	22
			\$ 42	18

The Ship Master's Accountant.

DISBURSEMENTS.

		<i>At Liverpool.</i>	\$	cts.
1821				
May 11		To drink money to the pilot	1	0
		To eighty-four pounds of beef	1	0
12		To two large casks of beef	0	50
		To a square top-mast	5	50
15		To four bolts of sail-cloth	21	20
		To port charges	28	0
20		To harbour-master, &c.	5	0
		To deals for dunnage	24	0
		To mats ditto	5	0
		To commission on the freight, paid the merchant..	20	0
		To cooking on shore	5	0
		To expenses	20	0
27		To the butcher's bill	27	0
		To the baker's bill	20	0
		To postage of letters	2	0
		To pilotage out to sea	3	0
			<u>\$188</u>	<u>20</u>

		<i>At New-York.</i>	\$	cts.
July 16		To Pilotage	1	66
		To entering a protest	1	11
		To reporting and entering at the custom-house	19	44
17		To heaving up the chains	1	11
		To mutton and beef	5	43
28		To transporting ship	1	53
		To workmen unloading	27	22
		To hospital-bills	4	0
		To Harbour-Master	4	0
		To waterage and expenses	1	50
		To greens and oat-meal	0	44
		To surveyors clearing ship	1	66
			<u>\$ 69</u>	<u>10</u>

SHIP ATLANTIC'S PORTAGE-BILL on a Voyage to LIVERPOOL.

The Ship Master's Accountant.

Time of Entry.	Men's Names.	Quality.	Time of Discharge.	Time on board.	Wages.	Whole Wages.
1821					\$ cts.	\$ cts.
April 1	Thomas Smith...	Master...	August 1..	4 months	28 64	106 56
Ditto	Peter Sennit	Mate.....	Ditto	4 ditto	15 55	62 20
Ditto	Geo. Wilkinson..	Cook	Ditto	4 ditto	11 10	44 40
Ditto 5	John Smart	Seaman...	July 25 ..	3 months and 20 days	10 0	36 68
Ditto	Joseph Howell ..	Ditto	Ditto	3 months and 20 days	10 0	36 68
April 1	John Vowell	Apprentice	August 1..	4 months	1 11	4 44
Ditto	Richard Moatly..	Ditto	Ditto	4 ditto	17 76	5 92
						\$296 84

Dr.

Mr. John Thompson, owner of the Atlantic.

1821			\$	cts.
April 11	To sundry disbursements, per account.....	179	36	
	To ditto at Hull	42	18	
May 28	To ditto at Liverpool,	188	20	
July 31	To disbursements at New-York	69	10	
	To the amount of the portage-bill	296	84	
Ditto	To a bill remitted from Liverpool,	577	77	
			\$1353	45

Dr.	Account-Current.		\$	cts.
April 2	To insurance and other charges	179	36	
	To commission on the freight, at $2\frac{1}{2}$ per cent. for being ship's husband	40	17	
11	To disbursements at New-York	179	36	
	To ditto at Hull	42	18	
May 28	To ditto at Liverpool	188	20	
	To ditto at New-York, homewards	69	10	
	To the portage-bill	296	84	
	To balance gained	643	68	
			\$1636	57
July 31	To Mr. J. Thompson, for his half gained	321	84	
	To L. Dorsey, Esq. for his quarter gained	160	92	
	To J. Woodbine, Esq. for his eighth gained	80	46	
	To Capt. Smith, for his eighth gained	80	46	
			\$643	68

The Ship-Master's Accountant.

9

His Account-Current with Thomas Smith.

Cr.

1821		\$	cts.
April 4	By cash received before I sailed	204	44
May 28	By freight received at Liverpool	533	33
	By nett proceeds of the adventure, per account sales,	269	88
June 16	By freight to Hull	5	41
Ditto	By my bill drawn upon him	88	88
July 10	By cash received of him	44	40
20	By cash ditto	123	44
	By monthly pay to Peter Sennitt's wife	8	88
Aug. 1	By balance due to me	74	79
		<u>\$1359</u>	<u>45</u>
	Errors excepted.		

New-York, August 1, 1821.

THOMAS SMITH,

		\$	cts.
	<i>Contra Creditor.</i>		
1821			
May 25	By freight to Liverpool	533	33
	By freight to Hull	77	42
July 31	By freight from Liverpool to New-York, viz.—		
	100 tons of hemp, at \$8 88 cts. per ton	888	88
	2 tons and 15 cwt. of flax, at \$8 88 cts. per ton	24	42
	800 deals, at \$10 32 cts. per hundred	82	56
	Two-thirds of the port-charges	29	96
		<u>\$1636</u>	<u>57</u>
July 31	By balance, from above, gained	\$643	68

New-York, August 2, 1821.

Errors excepted.

THOMAS SMITH.

Manifest of Goods on board the Atlantic, of New-York, bound to Liverpool and Hull.

For Liverpool.

K. 11.....1 Bale for John Rose..... \$6 00

For Hull.

F. G. 3.....1 Cask for R. Smith	12	0
S. S. 1 to 7.....7 Cases, Z. Livy	28	0
X. 27.....4 Bale, R. Zantippe	28	0
P. Z. ....1 Cask of Porter		
Directed ....1 Trunk		
D. 1 to 100 ..100 Hhds. of Tobacco		
W. 1 to 29....29 Hhds. of Sugar		
T. D. ....4 Barrels		
T. D. ....1 Cask Cheese		
T. D. ....1 Box Cloth		
S. E. ....1 Bale, E. Priestly	25	0
C. 50 to 57....7 Barrels Rice, D. Hager.....	15	0
	\$600	0

} Poper & Co. 482 0
 } myself.



Manifest of the Good shipped on board the Atlantic, Thomas Smith, Master, from Liverpool to New-York.

123 Bundles of rough Hemp		
7 Packs, and 72 Bobbins of Flax.....		
8 hundred of ordinary deals		
17 ordinary deals		
100 Mats		
3 Pounds of Tea		
2 doz. Bottles of Brandy		

} for King and Gracie.
 }
 } for the Ship's use.

THOMAS SMITH.

New-York, 16th Sept. 1821.

FORM OF A CARGO-BOOK.

Date.	Mark.	No.	Packages or Quality.	Length.	Brdth.	Depth.	Solid Contents.	Freight.	Primage.	By whom shipped.	To whom consigned.
1821 April 2	F. G.	3.---	1 cask Hardware	Ft. In.	Ft. In.	Ft. In.	Ft. In.	Dolls.			
	S. S.	1 to 7	cases of tobacco	4 2	4 2	3 0	52 1	-- 12--		F. Gordon	R. Smith.
	X.	27	1 bale	3 0	2 0	1 0	6 6	-- 28--		Straver & Co.	Z. Levy.
3	P. Z.	1.---	1 cask of porter	4 3	2 7	2 0	22 0	-- 28--		Hope and Aubert	S. Shaw.
	directed	---	1 trunk	3 0	2 0	1 8	10 0				
4	D.	1 to 100	100 hhds. tobacco	3 4	2 5	1 4	10 9	-- 402--		James Wallace	J. Thompson.
5	W.	1 to 29	29 hhds. of sugar								
	T. D.	---	4 barrels rice							John Thompson	
	T. D.	---	1 cask of cheese							J. C. Cogan	J. Lovett.
6	T. D.	---	1 box	7 0	3 9	2 11	81 8	-- 25--		Ditto	E. Woodhull.
	S. E.	---	1 bale	2 0	2 0	1 10	7 4	-- 15--			
	C.	50 to 57	7 barrels								
								600			
6	K.	11	1 bale	3 0	2 0	1 8	10 0	6 dollars		Geo. O'Hara	S. Hewlett.

A TABLE OF VARIOUS ARTICLES OF UTILITY.



A quire of paper, 24 sheets.	A tun of olive or sweet oil, 236 gallons.
A ream of paper is 20 quires.	A tod of wool, is 28 lbs.
A ream of paper, perfect, is 21½ quires.	A pack of ditto, 354 lbs.
A bale of paper, 10 reams.	One hand in length, is 4 inches.
A roll of parchment or vellum, 5 dozen, or 60 skins.	A truss of old hay, 56 lbs.
A dicker of hides, 10 skins.	— new hay, 60 lbs.
A dicker of gloves, 10 dozen pair.	— straw, 36 lbs.
A last of hides, 20 dickers.	36 trusses of hay or straw, 1 load.
A load of timber, unbewed, 40 feet.	54 yards, a pole, rod, or perch.
A load of squared timber, 50 feet.	4 poles or 100 links, 1 chain.
A load of 1 inch plank, 600 square feet.	40 poles in length, a furlong.
A load of 1½ inch plank, 400 square feet.	8 furlongs in length, a statute mile.
A load of 2 inch plank, 300 square feet.	1760 yards a statute mile.
A load of 2½ inch plank, 240 square feet.	144 square inches, a square foot.
A load of 3 inch plank, 200 square feet.	9 square feet, a yard.
A load of 3½ inch plank, 170 square feet.	40 square poles, a rood.
A load of 4 inch plank, 150 square feet.	4 square roods, an acre.
A hundred of deals, 120.	3 geographic miles, 1 league.
A chaldron of coals, 36 bushels.	60 nautic or geographic miles, or 69 statute miles,
A hogshead of wine, 63 gallons.	one degree of the meridian.
A hogshead of beer, 54 gallons.	4840 square yards, an acre.
A barrel of beer, 34 gallons; but, within the bills of	272½ square feet, one rod.
mortality, 36 gallons.	640 acres, 1 square mile.
A barrel of ale, 32 gallons.	30 acres, a yard of land.
A gross, 144, or 12 dozen.	100 acres, 1 hide of land.
A wey of cheese, 256 pounds.	1 lb. avoirdupois, is equal to 7000 grains of troy.
Pence in a pound, 240.	1 oz. avoirdupois, is equal to 437½ grains troy.
Farthings, 960.	5 lbs. avoirdupois, is equal to 6 lbs. troy, nearly.
Eight gallons, a bushel of corn.	A firkin of butter, 56 lbs.
Eight bushels of corn, a quarter.	A firkin of soap or herrings is equal to a firkin of
A last of corn or rapeseed, 10 quarters, or 80 bushels.	ale, two making a barrel.
A last of pot-ash, cod-fish, white herrings, meal,	A pipe, or butt, is 120 gallons.
pitch, and tar, 12 barrels.	A quintal, or kintal, 1 cwt.
A last of flax and feathers, 17 cwt.—of gunpowder, 24	A load of bricks, 500; and plain tiles, 1000.
barrels, or 2400 lbs.—of wool, 4361 lbs.	A stone of fish in London, 8 lbs.; but in the countr
A faggot of steel, 120 lbs.	commonly 14 lbs.; a stone of wool, 14 lbs.; Th
A burden of gad steel, 180 lbs.	same for horseman's weight, hay, iron, shot, &c.
A seam of glass, 24 stone of 5 lbs. each, or 120 lbs.	A stone of glass, 5 lbs. and a seam of ditto, 24 stone.
A punchbowl of prunes, 10 to 12 cwt.	A cade of red herrings, 500.
An ell English, is 45 inches.	A cade of sprats, 1000.
An ell Flemish, 37 inches.	4 or 5 gallons of sturgeon, 1 keg.
An ell French, 54 inches.	1728 solid inches, a cubic foot.
A gallon of train oil, is 7½ lbs.	27 solid feet, a cubic yard.
A tun of wine, 252 gallons.	48 solid feet of timber, a ton.
An anker of wine, 9 gallons.	231 solid inches, a wine gallon.
A rundlet of wine, 18 gallons.	282 ditto, a beer or ale gallon.
Oil of Greenland, ditto.	

Barrels of sundry commodities.

Anchovies, 30 lbs.	Spanish tobacco, 2 to 3 cwt.
A double barrel, 60 lbs.	Gunpowder, 1 cwt. and 24 barrels equal to 1 last.
Nuts and Apples, 3 bushels.	Soap, 256 lbs.
Pot-ash or barilla, 200 lbs.	Herrings, 39 gallons.
Oil, 31½ gallons.	Salmon and eels, 42 gallons.
Candles, 10 dozen pounds.	Figs, 3 qrs- 14 lbs. to 2½ cwt.
Raisins, 1 cwt.	

Articles in Wholesale Trade, bought and sold by the Thousand.

Cuttle bones.	Bricks.
Oranges and lemons.	Clackers, or Flanders tiles.
Chair-nails.	Billets and leaves of horn.
Tacks and tenter-hooks.	Barrel hoops.
Pomegranates and tassets.	Squirrel-skins.
Goose-quills, rough, and thimbles.	Slates and hilling stones.

Pins and small needles by the 1000 dozens.

Articles bought and sold at Six Score to the Hundred.

Banks and barlings.	Nails, eggs, and cod-fish, cole, ling, and Newfound-
Barrel and pipe-boards.	land fish, and stock-fish of all sorts.
Boom-spars and bow-staves.	Ells of canvas, and most foreign linens.
Canspurs and capspurs.	Hoghead-staves.
Herrings and deal boards.	

Rule for ascertaining the Tonnage and Burthen of United States Ships and Vessels.

To find Ship's Tonnage by Carpenters' Measure.

RULE. For single decked vessels, multiply the length, breadth at the main beam, and depth of the hold; together, and divide the product by 95.

EXAMPLE.

What is the tonnage of a single decked vessel, whose length is 60 feet, breadth 20 feet, and depth 8 feet?

$$\begin{array}{r}
 60 \text{ length.} \\
 20 \text{ breadth.} \\
 \hline
 1200 \\
 8 \text{ depth.} \\
 \hline
 95 \overline{) 9600} (101 \frac{5}{95} \\
 \underline{95} \\
 100 \\
 \underline{95} \\
 5
 \end{array}$$

Ans. $101 \frac{5}{95}$ tons.

This is the usual method of tonnageing a single-decked vessel having the deck bolted to the wale. But if it be required that the deck be bolted at any height above the wale, the custom is to pay the carpenter for one half of the additional height, to which the deck may be thus raised; that is, one half of the difference being added to the former depth gives the depth to be used in calculating the tonnage.

EXAMPLE.

A merchant, after having contracted with a carpenter to build a single decked vessel of 60 feet keel, 20 feet beam, and 8 feet hold, desires that the deck be laid for 10 feet hold: required the tonnage to be paid for?

$$\begin{array}{r}
 60 \text{ length.} \\
 20 \text{ breadth.} \\
 \hline
 1200 \\
 1 = \frac{1}{2} \text{ diff. of depth } - 8 = 9 \\
 \hline
 95 \overline{) 10800} (113 \frac{44}{95} \\
 \underline{95} \\
 130 \\
 \underline{95} \\
 350 \\
 \underline{285} \\
 65
 \end{array}$$

Ans. $113 \frac{44}{95}$ tons.

RULE. For a double decked vessel, take half the breadth of the main beam for the

EXAMPLES.

1. What is the tonnage of a double-decked vessel, whose length is 65 feet, and breadth 21 feet 6 inches?

$$\begin{array}{r}
 65 \text{ length.} \\
 21 \text{ 6 breadth.} \\
 \hline
 65 \\
 130 \\
 65 \text{ ft. } \times 6 \text{ in.} = \\
 \hline
 32 \text{ 6} \\
 1397 \text{ 6} \\
 10 \text{ 9 depth.} \\
 \hline
 \text{ft. in.} \\
 1397 \text{ 6} \times 10 \text{ ft.} = 13975 \text{ 0} \\
 1397 \text{ 6} \times 9 \text{ in.} = 1048 \text{ 1}
 \end{array}$$

$$95 \overline{) 15023} \text{ 1} (158 \frac{13}{95}$$

$$\begin{array}{r}
 95 \\
 \hline
 552 \\
 475 \\
 \hline
 773 \\
 760
 \end{array}$$

13 Ans. $158 \frac{13}{95}$ tons.

The preceding question may be wrought thus:

$$\begin{array}{r}
 65 \\
 21 \text{ 6} \\
 \hline
 65 \\
 130 \\
 6 \text{ 1} \times 1365 \\
 \hline
 32 \text{ 6} \\
 1397 \text{ 6} \\
 10 \text{ 9} \\
 \hline
 13975 \text{ 0} \\
 6 \text{ 1} \times 698 \text{ 9} \\
 3 \text{ 1} \times 349 \text{ 4} \\
 \hline
 95 \overline{) 15023} \text{ 1 as before.} \\
 \hline
 158 \frac{13}{95} \text{ tons.}
 \end{array}$$

2. What will the above tonnage amount to, at 16 dollars per ton?

$$\begin{array}{r}
 \text{dls.} \\
 158 \\
 16 \\
 \hline
 948 \\
 48 \text{ (arr. forw'd.)}
 \end{array}$$

Brought forward 948	48
158	16
2,18	
2530,18	95)208(2,18
	190
	180
	95
	850
	760
	90

Ans. 2530 dols. 18 cents.

3 Required the tonnage of a ship of 74 feet keel, and 26 feet 6 inches beam?

Ans. 2734 $\frac{2}{3}$ tons.

To find the Government Tonnage.

"If the vessel be double-decked, take the length thereof from the fore part of the main stem, to the after part of the stern post, above the upper deck; the breadth thereof at the broadest part above the main wales, half of which breadth shall be accounted the depth of such vessel, and then deduct from the length, three-fifths of the breadth, multiply the remainder by the breadth, and the product by the depth, and divide this last product by 95, the quotient whereof shall be deemed the true contents or tonnage of such ship or vessel; and if such ship or vessel be single-decked, take the length and breadth, as above directed, deduct from the said length three-fifths of the breadth, and take the depth from the under side of the deck plank, to the ceiling in the hold, then multiply and divide as aforesaid, and the quotient shall be deemed the tonnage."

EXAMPLES.

1. What is the government tonnage of a single-decked vessel, whose length is 69 feet 6 inches, breadth 22 feet 6 inches, and depth 8 feet 6 inches?

ft. in.	
69 6 length.	22 6 breadth.
deduct 13 6 for $\frac{3}{5}$ breadth.	3
56 0	5)67 6
22 6 breadth.	
112 0	13 6
112 0	carried forward.

Brought forward,	112 0
112	
6 in. $\frac{1}{2}$	28 0
	1260 0
	8 6 depth.
	10080 0
6 in. $\frac{1}{2}$	630 0
95)10710 0(112 $\frac{2}{3}$ tons.	
95	
121	
95	
260	
190	
70	

Ans. 112 $\frac{2}{3}$ tons.

2. What is the government tonnage of a double-decked vessel, of the following dimensions; length 75 feet 6 inches, breadth 23 feet 4 inches, and depth 11 feet 8 inches?

ft. in.	ft. in.
75 6	or, 23 6
14 0 for $\frac{3}{5}$ breadth.	14 0
61 6	61 6
23 4 breadth.	23 4
183	61 ft. \times 23 ft. = 1403 0
122	6 in. \times 23 ft. = 11 6
6 in. $\frac{1}{2}$ 11 6	61 ft. 6 in. \times 4 in. = 20 6
4 in. $\frac{1}{2}$ 20 6	
1435 0	1435 0
11 8 depth.	11 8
15785 0	15785
6 in. $\frac{1}{2}$ 717 6	1435 ft. \times 8 in. = 956 6
2 in. $\frac{1}{2}$ 239 2	
95)16741 8(176 21-95 tons.	16741 8 as before.
95	
724	
665	
591	
570	
21	

Ans. 176 21-95 tons.

3. What is the government tonnage of a double-decked vessel, of the following dimensions; length 82 feet 3 inches, breadth 24 feet 3 inches, and depth 12 feet 1 $\frac{1}{2}$ inches?

Ans. 209 $\frac{2}{3}$ tons.

TABLES OF CORDAGE.

A CORDAGE TABLE, shewing how many fathoms, feet, and inches of a Rope, of any size, not more than 14 inches, make a hundred weight; with the use of the table.

Inches.	Fathoms Feet. Inches.	Inches.	Fathoms Feet. Inches.	Inches.	Fathoms Feet. Inches.	Inches.	Fathoms Feet. Inches.	Inches.	Fathoms Feet. Inches.
1	486 0 0	4	26 5 3	7	8 4 0	10	4 1 8		
1 1/4	313 3 0	4 1/4	24 0 0	7 1/4	8 3 8	11	4 0 3		
1 1/2	218 3 0	4 1/2	21 3 0	8	7 3 6	11 1/4	3 5 7		
1 3/4	159 3 0	5	19 3 0	8 1/4	7 0 8	11 1/2	3 4 1		
2	124 3 0	5 1/4	17 4 0	8 1/2	6 4 3	11 3/4	3 3 3		
2 1/4	96 2 0	5 1/2	16 1 0	8 3/4	6 2 1	12	3 2 3		
2 1/2	77 3 0	5 3/4	14 4 6	9	6 0 0	12 1/4	3 1 1		
2 3/4	65 4 0	6	13 3 0	9 1/4	5 4 0	12 1/2	3 0 0		
3	54 0 0	6 1/4	12 2 0	9 1/2	5 2 0	12 3/4	2 7 8		
3 1/4	45 5 2	6 1/2	11 3 0	9 3/4	5 0 6	13	2 5 3		
3 1/2	39 3 0	6 3/4	10 4 0	10	4 5 0	13 1/4	2 4 9		
3 3/4	34 3 9	7	9 5 6	10 1/4	4 4 1	13 1/2	2 4 0		
4	30 1 6	7 1/4	9 1 6	10 1/2	4 2 2	13 3/4	2 3 6		
				10 3/4		14	2 2 1		

USE OF THE TABLE.

At the top of the table, marked inches, fathoms, feet, inches, the first column is the thickness of the rope in inches and quarters, and the other three the fathoms, feet, and inches, that make up a hundred weight of such a rope. One example will make it plain:—

Suppose you desire to know how much of a seven-inch rope will make a hundred weight: Find 7 in the third column under inches, or thickness of rope, and against it in the fourth column you find 9 5 6, which shews that there will be 9 fathoms, 5 feet, 6 inches, required to make one hundred weight.

A TABLE, shewing the weight of any Cable of 120 fathoms in length, and for every half inch, from 3 to 24 inches in circumference.

Inches.	Cwt.	Qrs.	Inches.	Cwt.	Qrs.	Inches.	Cwt.	Qrs.	Inches.	Cwt.	Qrs.			
3	2	1	7	12	1	11	30	1	15 1/2	60	0	20	100	0
3 1/2	3	0	7 1/2	14	0	11 1/2	33	0	16	64	0	20 1/2	105	0
4	4	0	8	16	0	12	36	0	16 1/2	68	0	21	110	1
4 1/2	5	0	8 1/2	18	0	12 1/2	39	0	17	72	1	21 1/2	115	2
5	6	1	9	20	1	13	42	1	17 1/2	76	2	22	121	0
5 1/2	7	2	9 1/2	22	2	13 1/2	45	2	18	81	0	22 1/2	126	2
6	9	0	10	25	0	14	49	0	18 1/2	85	2	23	132	1
6 1/2	10	2	10 1/2	27	2	14 1/2	52	2	19	90	1	23 1/2	138	0
				15		15	56	1	19 1/2	95	0	24	144	0

USE OF THE TABLE.

The first column, marked for inches, is the thickness or circumference of the cable to every 1/2-inch, from 3 to 24 inches. The second, marked cwt. qrs. for hundred weights and quarters that it will weigh, if 120 fathoms in length.

For instance, suppose it be a cable of 14 1/2

inches; look against 14 1/2, and you will find in the other column 52 cwt. 2 qrs. which shews that 120 fathoms of 14 1/2 inch cable will weigh 52 cwt. 2 qrs.; and so in others; and any quantity of less length will weigh in proportion.

Cables, of what thickness soever, are generally formed of three ropes twisted together, which are then called *strands*; each of these is composed of three smaller strands, and those last of a certain number of rope-yarns: this number is therefore greater or smaller, in proportion to the size of the cable required.

All cables ought to be 120 fathoms in length; for which purpose, the threads or yarns must be 180 fathoms, inasmuch as they are diminished one-third in length by twisting.

The number of threads also of which each cable is composed being always proportioned to its length and thickness, the weight and value of it are determined by this number.—Thus a cable of 10 inches in circumference ought to consist of 485 threads; and weigh 1940 lbs. and on this foundation is calculated the following Table:

A ship was brought to anchor in a gale of wind, but the gale increasing, it was thought safest to cut the cables, in consequence of which 75 fathoms of 16 inches and 50 fathoms of 12 inches were lost; what must they be valued at in calculating the average: new cordage being then 14 dollars per cwt.?

CALCULATION.

120 fa. 16 in. ca. = 64 cwt. 120 fa. 12 in. ca. = 36 cwt.

60 do.	32	40 do.	12
15 do.	8	10 do.	3
75 fa. weighing	40	50 fath. weighing	15
50 do.	15		

dols. ets.
55 cwt. at 14 dols. per cwt. 770 00
One third deducted for new 256 66 2/3

Ans. 513 33 1/3

A Table of the Number of Threads and Weight of Cables of different Circumference.

Inches in Circumf.	No. of Threads.	Weight in lbs.
9	393	1527
10	485	1940
11	598	2392
12	699	2796
13	821	3284
14	952	3808
15	1093	4372
16	1244	4976
17	1404	5616
18	1574	6296
19	1754	7016
20	1943	7772

TABLE, Showing the comparative strength of Common and Patent Cordage, drawn up from the result of repeated experiments, in breaking ropes, both patent and common laid, of various sizes, furnished the proprietor of this work through the politeness of Messrs. TUCKER & CARTER, of New-York, to whom the commercial world is indebted for an establishment, in addition to that for the manufacture of Hempen Cables, of an extensive manufactory of CHAIN CABLES, made from the first quality of American iron, and which may with confidence be recommended to public patronage.

CABLES.									
Size of Patent Cables.	Size of Common Cables, equal in strength.	Cost per cent. more, if made common.	Weight of 120 fathoms.		Saving in weight if made patent.	SHROUD LAID ROPES.			
			Patent laid.	Common laid.		Size of Patent Shroud Laid Rope.	Equal in strength to common laid Rope made of similar yarn.	Cost more per cent. if made common.	Sizes recommended if common.
5 In.	5.81	36.29	6 1 0	8 2 1	1 1 1	1 In.	1.067	140v. ct.	2. 1 In.
5 1/2	6.50	39.82	7 2 7	10 2 8	3 0 1	1 1/2	1.357	17.50	2. 4
6	7.18	43.24	9 0 0	12 3 16	3 3 16	1 3/4	1.65	21	2. 7
6 1/2	7.87	47.06	10 2 7	15 2 3	4 3 24	2	2.267	28.50	3. 1 In.
7	8.59	50.68	12 1 0	18 1 21	6 0 24	2 1/2	2.5801	31.50	3. 3
7 1/2	9.31	54.30	14 0 7	21 2 14	7 2 7	3	2.9047	35	3. 6
8	10.05	57.92	16 0 0	25 1 9	1 1 1	3 1/2	3.2963	38.50	3. 9
8 1/2	10.80	61.54	18 0 7	29 0 18	1 1 1	4	3.5749	42	4. 2
9	11.42	65.16	20 1 0	33 0 20	1 2 2	4 1/2	3.9203	45.50	4. 5
9 1/2	12.34	68.73	22 2 7	38 0 9	1 5 2	5	4.2722	49	4. 8
10	13.13	72.40	25 0 0	43 0 1	1 8 0	5 1/2	4.6308	52.50	5. 1
10 1/2	13.93	76.02	27 2 7	48 2 120	3 22	6	4.9959	56	5. 45
11	14.74	79.64	30 1 0	54 1 0	2 4 0	6 1/2	5.3674	59.50	5. 8
11 1/2	15.56	83.26	33 0 7	60 2 7	2 7 2	7	5.7451	63	6. 2
12	16.40	86.88	36 0 0	67 1 3	3 1 1	7 1/2	6.1291	66.50	6. 5
12 1/2	17.25	90.50	39 0 7	74 1 17	3 5 1	8	6.5192	70	6. 8
13	18.11	94.12	42 1 0	82 0 1	3 9 3	8 1/2	6.9152	73.50	7. 2
13 1/2	18.98	97.74	45 2 7	90 0 10	4 4 2	9	7.312	77	7. 5
14	19.81	101.36	49 0 0	98 2 17	4 9 2	9 1/2	7.7251	80.50	7. 9
14 1/2	20.75	104.98	52 2 7	107 3 0	5 5 0	10	8.1381	84	8. 25
15	21.65	108.60	56 1 0	117 1 10	6 1 0	10 1/2	8.5562	87.50	8. 6
15 1/2	22.57	112.22	60 0 7	127 2 2	6 7 2	11	8.9832	91	8. 95
16	23.47	115.84	64 0 0	137 2 4	7 3 2	11 1/2	9.4137	94.50	9. 3
16 1/2	24.44	119.46	68 0 7	149 1 12	8 1 5	12	9.8498	98	9. 6
17	25.38	123.08	72 1 0	161 0 18	8 8 3	12 1/2	10.2914	101.50	10. 3
							10.7383	105	

TABLE OF CHAIN CABLES.

Showing the size of chain, in diameter of iron, as substituted for hempen cables, to circumferance of rope; with the tested proof of the former.

Size of Chain.	Equal to Hempen Cables of	Weight of Chain per fathom.	Tested p ^{er} cent. of each Chain.
1 1/2 In.	18 Inches.	153 lbs.	60 Tons.
1 3/4	17	136	52
1 7/8	16	120	44
2	14 1/2	102	38
2 1/4	14	84	32
2 1/2	13	68	26
2 3/4	12	55	18
3	10 1/2	42	12
3 1/4	9	30	9
3 1/2	8	22	6
3 3/4	7	19	5
4	6 1/2	15	4

90 fathoms of Chain are equal to 120 fathoms of Hempen Cable.

From repeated experiments, it has been found that the strain may be much increased without parting the cable; but the test proof exhibited in the scale above, is deemed to be most suitable.

CHAPTER II.

Of the Measures and Weights of Great Britain.

The measures of length are too simple and too well known to require explanation; as 3 barley-corns equal one inch; 12 inches one foot; 3 feet one yard; 2 yards one fathom, &c. The most common weights are those denominated the Troy and Avoirdupois weights. The troy and avoirdupois weights are nearly in the proportions to each other of the specific gravity of wheat and spring water, viz. as 5760 to 7000. An avoirdupois pound = 7000 grains troy. Of these the former, or troy weight, is divided as follows:

24 Grains are equal to a penny-weight.
20 Penny-weights . . to an ounce, and
12 Ounces to a pound.

These weights are used for gold, silver, medicines, &c.

8 lbs. Troy are considered as equal to a gallon; 16 lbs. equal to a peck; and 64 lbs. to a bushel; where weight and measure are reduced into each other.

Wet measure is derived from the pound troy, as well as the measures of grain; 12 ounces or a pound being considered as equal to a pint, and 8 pints equal to a gallon (containing 238 cubic inches) of wine, brandy, cider, &c. of which the standard is preserved in his Majesty's exchequer, whence we have the excise measure of the following casks, viz.

A Hogshead, which is to contain 63 gallons.
A Tierce 42 gallons.
A Pipe 126 gallons.
A Tun 252 gallons; or
in weight avoirdupois 1890 lbs.; or
in troy weight 2016 lbs.

In the *Avoirdupois weight* are reckoned 16 drachms, or drams, equal to one ounce; 16 ounces equal to one pound; 28 pounds equal to one quarter of a hundred weight, or of 112 pounds; and 20 hundred weight equal to one ton in weight.

This weight is used for all gross goods, as butter, cheese, sugar, hemp, flax, &c. as hereafter mentioned; of which there are three quintals, viz. First of 100 lbs. by which sugars, &c. are bought and sold in the British West Indies, &c. Secondly, of 112 lbs. by which all gross goods are weighed throughout England: Thirdly, of 120 lbs. called the *stannary hundred*, by which tin, &c. is weighed to the King's farmers.

Of *Wool*, if commonly bought by the tod, 7 lbs. avoirdupois are equal to one clove; 14 lbs. equal to a stone; 28 lbs. equal to a tod; 162 lbs. equal to a wey; 364 lbs. equal to a sack; 4368 lbs. equal to a last. Or, otherwise, 2 cloves are equal to one stone; two stones equal to one tod; 6½ tods equal to one wey; 2 weys to one sack; and 12 sacks equal to one last. But, when it is stapled, or sorted, it is sold by the pack, containing 6 score, or 120 lbs.

LEAD is sold by the fodder, and a load is equal to 175 lbs.

A fodder at London is equal to 19½ cwt. } of 112 lbs.
at Newcastle 21 cwt. } to the cwt.
at Stockton 22 cwt. }
at Hull 19½ cwt. stannary weight of
120 lb. to the cwt.

GUNPOWDER: 100 lbs. avoirdupois to a barrel; 24 barrels equal to a last.

From the pound avoirdupois are formed other weights; as a *stone* of 7 lbs. 8 lbs. 14 lbs. 16 lbs. and 20 lbs.; and, in some parts, a *clove* of 7 lbs. 8 lbs. and 10 lbs.; and sometimes a *tod* of 20 lbs. 32 lbs. &c.

RAW SILK, from Russia and Turkey, is commonly sold by the pound of 24 ounces, equal to one pound and a half avoirdupois.

DIAMONDS and other precious stones are weighed by Carats, the carat being divided into 4 grains, and the grain into 16 parts. The diamond carat weighs 3 1-5 grains troy.

Of English Liquid Measures.

The English wine measures are smaller than those of beer, and are proportioned as four to five; hence four gallons beer measure are nearly equal to five gallons wine measure; of which latter a gallon is 231 cubic inches, and 8 pounds, 1 ounce, and 11 drams, avoirdupois, of rain-water. A beer gallon contains 282 cubic inches.

WINE MEASURE.

2 Pints are one quart.
 4 Quarts are one gallon.
 42 Gallons, one tierce.
 63 Gallons, one hogshead.
 84 Gallons, one puncheon.
 2 Hogsheads, one pipe or butt.
 2 Pipes or butts, one tun, or 252 gallons.

In a Tun of Wine.

2 Pipes or butts.
 6 Tierces.
 252 Gallons.
 504 Pottles.
 1008 Quarts.
 2016 Pints.

In a Pipe.

2 Hogsheads.
 2 Tierces.
 126 Gallons.
 252 Pottles.
 504 Quarts.
 1008 Pints.

In a Hogshead are

84 Gallons.
 168 Pottles.
 336 Quarts.
 672 Pints.

In a Hogshead.

63 Gallons.
 126 Pottles.
 252 Quarts.
 504 Pints.

LONDON BEER MEASURE.

8 Pints are one gallon.
 9 Gallons, one firkin.
 18 Gallons, one kilderkin.
 36 Gallons, one barrel.
 54 Gallons, one hogshead.
 27 Gallons, one half hogshead.

In a Barrel of Beer.

2 Kilderkins.
 4 Firkins.
 36 Gallons.
 72 Pottles.
 144 Quarts.
 256 Pints.

In a Barrel of Ale.

2 Kilderkins.
 4 Firkins.
 32 Gallons.
 64 Pottles.
 128 Quarts.
 256 Pints.

At London.

At London.

VINEGAR is measured as wine; but the measures for BRANDY vary. From France, Spain, and Portugal, Brandy is usually shipped in large casks, called pipes, butts, and pieces, according to the places whence they are exported; and differing in their contents, not only from one another, but very often among those embarked at the same place.

Brandy is shipped in casks, called pieces, at *Bordeaux*, and in pipes at *Rochelle*, *Cognac*, the *Isle of Rhe*, *Nantes*, and other neighbouring places; which contain some more and some less, according to the capacity of the vessels and the places they come from.

OLIVE OIL, is also shipped in casks of various sizes, according to the custom of the places where it is embarked, and for the convenience of stowage. *Gallipoli*, *Leghorn*, *France*, *Majorca*, and several parts of *Spain* and *Portugal*, supply the northern parts of Europe with this commodity, as well for eating as for cleansing woollens, and for making soap. In *England*, it is sold by the tun of 236 gallons, and at *Amsterdam* by the tun of 717 mingles, or 1434 pints; the casks in which it is imported contain from 20 to 70 steckans, at 16 mingles a steckan, the mingle weighing 2 lbs. and from 2 to 4 ounces, according to the place of the oil's growth.

English Dry-measure.

4 Gills are 1 Pint.	2 Bushels are 1 Strike.
2 Fints 1 Quart.	4 Bushels 1 Coom.
2 Quarts 1 Pottle.	2 Cooms or 8 bush. 1 Quarter.
2 Pottles 1 Gallon.	4 Quarters 1 Chaldron.
2 Gallons 1 Peck.	5 Quarters 1 Wey or load.
4 Pecks 1 Bushel.	2 Weys 1 Last.

The Winchester bushel, which is the legal measure for corn and seeds, should be 18 $\frac{1}{2}$ inches wide, and 8 inches deep. Its contents are, therefore, 2150.42 cubic inches. Corn and seeds are measured in the port of London by striking the bushel from the brim, with a round piece of light wood, about two inches in diameter, and of equal thickness from one end to the other. All other dry goods are heaped.

English Coal-Measure.

4 Pecks are equal to 1 Bushel.	1 Bushel.
2 Bushels 1 Sack.	1 Sack.
3 Sacks 1 Vat.	1 Vat.
4 Vats, or 12 Sacks, or 36 Bushels 1 Chaldron.	1 Chaldron.
21 Chaldrons 1 Score.	1 Score.

The coal bushel holds one Winchester quart more than the Winchester bushel; it therefore contains 2217.62 cubic inches. This bushel must be 19 $\frac{1}{2}$ inches wide from outside to outside, and 8 inches deep. In measuring coal, it is to be heaped up in the form of a cone, at the height of at least 6 inches above the brim (according to a regulation passed

at Guildhall in 1806.) The outside of the bushel must be the extremity of the cone, and thus the bushel should contain, at 2814.9 cubic inches. Hence the chaldron should measure 58.64 cubic feet.

Newcastle Grindstone-Measure.

1 Grindstone.	8 Feet.	1 Chaldron.	9 Grindstone.	4 Feet.	1 Chaldron
3 ditto.	7 ditto.	2 ditto.	18 ditto.	3 ditto.	1 ditto.
3 ditto.	6 ditto.	1 ditto.	27 ditto.	2 ditto.	1 ditto.
5 ditto.	5 ditto.	1 ditto.	36 ditto.	1 ditto.	1 ditto.

* * 8 Inches are 1 foot; measure across the stone and ope edge.

Of Wood Fuel.

WOOD-FUEL is assized into shids, billets, faggots, fall-wood, and cord-wood. A shid is to be 4 feet long, and, according as they are marked and notched, their proportion must be in the girth, viz.—If they have but one notch, they must be sixteen inches in the girth; if 2 notches, 23 inches; if 3 notches, 28 inches; if 4 notches, 33 inches; and if 5 notches 28 inches about. Billets are to be 3 feet long, of which there should be three sorts, viz. a single cask, and a cask of two; the first is 7 inches, the second 10 inches, and the third 14 inches, about: they are sold by the hundred of 5 score. Faggots are to be 3 feet long, and at the band 24 inches about; besides the knot of such faggots, 50 go to the load. Baving and spray-wood are sold by the hundred, which are accounted a load. Cord-wood is the bigger sort of fire-wood, and it is measured by a cord, or line, whereof there are two measures; that of 14 feet in length, 3 feet in breadth, and 3 feet in height. The other is 8 feet in length, 4 feet in height, and 4 feet in breadth.

Measures of Wood.

1000 Billets of wood are equal to	1 Cord.
10 Cwt. of ditto - - -	1 Cord.
1 Cord of Wood - - -	$\frac{1}{2}$ Chaldron of coals.
100 lbs. of wood - - -	1 Quintal of wood.

Weights and Measures in the United States.

In Massachusetts, Maine, New-Hampshire, Vermont, Rhode-Island, New-York, North and South Carolina, and Georgia, the English weights and measures are used, as they are in the rest of the states, with the following alterations and modifications:

Massachusetts.

Beef and Pork barrels must be 28 inches long and $16\frac{1}{2}$ inches between the chimes, to contain 200 lbs. of meat. Tar barrels must contain 30 gallons. Fish barrels must contain 200 lbs. of fish.

The other New-England states have adopted the inspection laws of Massachusetts.

New-York.

Beef and pork for the navy of the United States must be packed in white oak barrels, 28 inches long from one end of the stave to the other, and from the outside of each head 26 inches. From 17 to 16 inches between the chimes. To contain from $28\frac{1}{2}$ to 30 gallons, and 200 lbs. weight of meat. The beef to be cut into pieces of 10 lbs. each, the pork into pieces of 8 lbs.

Beef and pork barrels for exportation 28 inches long and $17\frac{1}{2}$ inches between the chimes. Flour barrels 22 inches long and 14 inches diameter at the head, or 27 inches long and 12 inches diameter; to contain 196 lbs. Fish barrels 28 inches long, distance between the chimes 26 inches, diameter of the head $16\frac{1}{2}$ inches. Half-barrels 24 inches long, 13 inches head. Pot and Pearl ashes barrels 29 inches long, 19 in diameter at the head.

Connecticut.

In this state the half-bushel corn measure contains 1099 cubic inches, the bushel being nearly 48.58 cubic inches larger than the Winchester bushel. The beer gallon contains 282 cubic inches. The wine gallon 231 cubic inches. The quart corn measure contains 69.67 cubic inches. The pint, 34.38 inches.

New-Jersey.

Here the wine barrel contains $31\frac{1}{2}$ gallons, the half-barrel 16 gallons.

Pennsylvania.

In Pennsylvania, 16 gallons, wine measure, make a half-barrel, $31\frac{1}{2}$ one barrel, 64 one double-barrel, 42 one tierce, 84 one puncheon; 2 hogsheads make one pipe or butt, and 2 pipes make one tun, or 256 gallons. Beer, ale, cider, pork, beef, and oil, are sold by the above measure. The width of the stave is fixed at 3 inches. Tobacco hogsheads must be 4 feet long, 32 inches in the head, and 4 hogsheads to the ton, equal to the guage of Maryland. The flour barrel is double the guage for wine measure.

Delaware.

Weights and measures the same as in Pennsylvania.

Maryland.

English weights and measures are used.

Tobacco hogsheads must be 4 feet long and 70 inches in the whole diameter within the staves at the croze and bulge. Flour casks must contain $31\frac{1}{2}$ gallons, wine measure.

Pork and beef barrels, 220 lbs. nett of meat. The staves must be 29 inches long and 13 inches diameter at the head.

Fish barrels to contain not less than 29 nor more than 31 gallons. Tierces to hold 45, and half-barrels not less than 15 gallons.

Virginia and Kentucky.

English weights and measures are used. The tobacco hogshead shall contain 1250 lbs. nett of tobacco, being 54 inches long and 34 inches at the head within the croze.

Pork and beef barrels to contain 204 lbs. nett of meat, and from 29 to 30 gallons. Fish barrels from 30 to 32 gallons. Flour barrels 27 inches long and $17\frac{1}{2}$ inches diameter at the head, and to contain 196 lbs. The tar and pitch barrels must contain $31\frac{1}{2}$ wine gallons.

District of Columbia.

In Alexandria, District of Columbia, the weights and measures are the same as in Virginia; in Georgetown and Washington, the same as in Maryland.

Louisiana.

Weights and measures according to those established by the revenue laws of the United States. A dry measure is ordained by the name of a barrel, to contain $3\frac{1}{2}$ bushels, equal to 6988.86 cubic inches.

Mississippi and Alabama.

English weights and measures are used. Flour barrels contain 196 lbs. Pork and beef barrels 200 lbs. nett of meat.

Illinois.

The avoirdupois lb. contains 7020 grains troy.

Indiana.

The Virginia assize of hogsheads and casks is adopted.

TABLE of the MEASURES of CAPACITY and WEIGHTS USED at the SEVERAL CUSTOM-HOUSES of the UNITED STATES.

STATE AND PORT.		DIAMETER.		DEPTH.	CAPACITY.	Weight of Water it contains, avoirdupois.		WINE GALLON.	BEER GALLON.	GRAINS TROY IN THE POUND AVOIRDUPOIS.	REMARKS.
		TOP.	BOTTOM.			Inch. dec.	Inch. dec.					lbs. or dr.
DIMENSIONS & CAPACITY of the BUSHEL or HALF BUSHEL.											
MAINE.											
Bath	-	14	14	6.25	962.5	37 1	spring	Wine	Beer	Dearborn's	Winchester measure.
Belfast	-	13.7	13.7	7	1,031.88	38	do.	do.	do.	do. no troy weights	ditto
Frenchman's Bay	-	14	14	7.2	1,108.35	42 3 12*	river	do.	Not used	do. no troy weight.	Winchester intended. *This must include the weight of the half bushel measure.
Kennebunk	-	14.7	13.1	7.25	1,101.66	39	rain	do.	No beer	7,039 Dearborn at Kennebunk	Scales and weights at Wells. Standard from Winchester. (The town of Arundel.
Macbias	-	13.75	13.75	7.562	1,051.3	37 10	rain	do.	do.	Dearborn. Troy not used	Winchester.
Lubeck	-	14	12.2	7.8	1,051.3	38 8	spring	do.	Beer	7,000 Dearborn. Troy not used	Winchester. The standards are kept at East-port.
	peck	....	....	....	539.5	....	....	....	Also for Cider	6,998 Dearborn's scales used before the late war.	
	½ peck	....	....	....	276.8	....	....	....	....	7,004 Dearborn	
	-	13.7	14.2	7	....	39 7	spring	do.	No beer	Dearborn. No troy.	Winchester.
Portland and Falmouth	-	....	....	....	....	35 3	spring	do.	Beer	Dearborn principally used. No troy.	Winchester.
Saco	-	14.4	14.4	6.8	1,107.9	38 7 8	rain	Wine for Beer	Beer	7,033 Dearborn	The pound was weighed at the bank.
Wiscasset	-	13.9	13.9	6.9	....	40	spring	Wine only	....	7,013 or thereabouts, D.	
NEW-HAMPSHIRE.											
Portsmouth	bushel	19.3	19	7.5	2,160.4	78	spring	Wine for Beer	Beer	7,004 Troy not used	Winchester. These, except the pound of 7,000 grains, are the standard.
	½ bushel	13.5	13.5	7.5	1,073.54	38 12	do.	....	....	4 lb. 27.996	Hardened copper measures and weights of the state of N. Hampshire, imported from England before the revolution, and deposited, by Mr. Upham's request, at the custom-house. Winchester four bushel tubs used.
Boston	-	13.7	13	7.9	1,105.8	39 2	rain	Wine	Beer	Dearborn used	Winchester.
Newburyport	-	13.75	13.75	7.24	1,075.86	....	....	....	do.	do.	Winchester.
Glooucester	-	13.7	13.7	7.3	1,075.2	39 4	rain	Wine only	....	6,938 do.	Winchester.
Dighton	-	13.6	13.6	7.1	1,031.39	38	spring	Wine	Beer	Troy not used	Winchester.
	copper					37 6	rain	do.	do.	6,992 by an ounce of 437	Winchester.
New-Bedford	-	14	14	7	1,077.56	38 14 12	rain	do.	do.	7,000 Dearborn	Winchester. Dearborn's patent not used.
Barnstable	4 bushel tub	28.5	26	14.8	1,076.81	38 8	spring	do.	No beer	do.	Winchester. The four bushel tub is for sale and coal.
Edgartown	-	13.8	13.8	7.2	1,116.39	38 4	do.	do.	Beer	do.	Winchester. Troy used only for gold and silver.
Nantucket	-	14.25	14.25	7	....	38	rain	Wine for Beer	Beer	6,978 do.	Winchester.
RHODE ISLAND.											
Providence	-	13.7	13.7	7.5	1,097.25	39 4	spring	Wine	No beer	6,977 do.	Winchester. Dearborn's patent not used for hemp and iron.
Bristol	copper	14	14	14	2,155.13	78	rain	Wine for Beer	Beer	6,984 do.	Winchester. Dearborn's patent not used
Newport	copper	13.8	14.2	7	1,080.09	38 14 12	spring	Wine	Beer	6,999 ..	A state law, of the revision of January, 1798, prescribes gauging by Gunter's scale, and a rule to find the mean diameter of casks.
		....	....	....	1,080.09	38 13 4	rain	Both by Gunter	Gunter	6,995 ..	The laws of Connecticut make no mention of the Winchester bushel.
	wooden					39 5	spring	Wine for Beer	Beer	6,995 ..	
CONNECTICUT.											
New-London	-	13.5	13.6	7.7	1,111.03	38 13 12	spring	Wine only	....	6,995 Dearborn	
Fairfield	-	14.1	13.6	7.25	1,124.93	39 8	spring	Wine only	....	6,998 Dearborn	
	-	13.5	13.6	7.8	1,124.93	39 8	spring	Wine only	....	6,998 Dearborn	

NEW-YORK	14 35	14 35	13 45	13 45	2 175.13	78 13 4	rain	231	383	7,007 by N. Y. Bank scales, 7,005 1/2 U. S. Bank do. 7,000 City pound 6,999 Sealer's pound	from N. Y. of which the pound is 7,008	Dearborn's balance used for small weights.	The New-York city yard is 100 short, being upon a copy from Bird's scale of 1785, only 33.37 inches
2 bushel tub for salt & coal	13 5	13 5	8 35	1,083.1	39 6	Schuykill	Wine	Beer	6,993 1/2	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
Sealer's standard bushel	13 5	13 5	9 7	1,086.1	38 10 6	spring	Wine only	231	7,000	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
do. half gallon	13 5	13 5	8	2,150.42	77 8	rain	231	No stand	7,000	..	..	Dearborn's troy weight not used.	Dearborn's balance used for small weights.
do. quart	13 5	13 5	8 5	1,000.47	40*	spring	..	..	No troy but for money.	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
Rochester	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	7,010 No troy	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
another	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,970	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
another	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,950	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
Perth Amboy	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,994 1/2	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
PENNSYLVANIA	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
Philadelphia	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
DELAWARE	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
Wilmington	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
MARYLAND	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
Baltimore	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
Oxford	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
two 1/2 bushels	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
DISTRICT of COLUMBIA	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
Washington	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
Georgetown	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
Alexandria	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
VIRGINIA	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
Cherrystone	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
Norfolk	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
Petersburg	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
Richmond	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
NORTH CAROLINA	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
Camden	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
Edenton	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
Newbern	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
Ocrake	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
Plymouth	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
Wilmington	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
SOUTH CAROLINA	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
Charleston	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
GEORGIA	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
Savannah	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
St. Mary's	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
LOUISIANA	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
New Orleans	13 5	13 5	7 5	1,083.42	77 8	rain	231	Wine for	6,984	..	..	Dearborn's balance not used.	Dearborn's balance used for small weights.
2 bushel tub	17 8666	13 75	21.74666	4,300.84	38 7 5	wet, river	..	..	7,004 by 3 lb. of 14-008	..	..	Dearborn's balance	Dearborn's balance is used. A dozen bottles of wine or of beer are found to contain 21 gallons of each, according to their respective standards.
ALABAMA	The measure	13 75	21.74666	4,300.84	38 7 5	wet, river	..	..	7,004 by 3 lb. of 14-008	..	..	Dearborn's balance	The Mississippi county standards were obtain- ed from Philadelphia.
Mobile	The measure	13 75	21.74666	4,300.84	38 7 5	wet, river	..	..	7,004 by 3 lb. of 14-008	..	..	Dearborn's balance	The Mississippi county standards were obtain- ed from Philadelphia.

French Weights and Measures.

In France, a variety of weights and measures, as will be evident from the following tables, prevailed in the different provinces, to the great inconvenience of general trade. To obviate this, the French government have attempted to settle a weight and measure taken from nature, regulating each other and themselves. For this purpose they have chosen the distance from the equator to the pole, the quadrant or fourth part of the circle of the meridian, (or rather of the polar circumference of the earth) and dividing this estimated space into ten millions of parts, each of which is termed a *Mètre*. This space has been ascertained by the determinations of different degrees of the meridian, which have been made at various times by men of the first class in science and talent; including particularly the accurate admeasurements made between the Mediterranean and the North Sea, viz. from Barcelona to Dunkirk, which were completed in 1799. The result is, that the *Mètre* is fixed at 36 French inches, and 11.296 lines, equal to 39 English inches and .371 decimal parts. Hence,

1. New Measures of Length, with their corresponding Value in English Measures.

	English Inches.				
Millimetre, 1000th part of the Metre .....	.03937				
Centimetre, 100th of the Metre .....	.39371				
Decimetre, 1-10th of a Metre	3.93710				
METRE: the principal unity of the } French Measure	39.37100	Miles.	Furlongs.	Yards.	Feet.
Decametre, = 10 Metres	393.71000	= 0	0	10	2 9.7
Hecatometre = 100 Metres	3937.10000	= 0	0	109	1 1
Chiliometre = 1000 Metres { 8 are near- ly 6 E. M. }	39371.00000	= 0	4	213	1 10.2
Myriometre = 10000 Metres	393710.00000	= 6	1	156	0 6
Grade, or decimal degree of the Meri- dian (100000 Metres, or 1-100th of the Quadrant)	3937100.00000	= 62	1	23	2 2

2. Measures of Capacity.

The **LITRE** is the unity for dry and liquid measures; it is equal in its contents to a cubic decimetre, or a cube of a tenth part of the **METRE**. The Litre in liquids is used instead of the *pinte*, of which it is one, and one twentieth part; and in dry measure it supersedes the *liorma*, of which it makes a quarter. Hence,

	Cubic Inches English.
A Millimetre 1-1000th of a litre .....	.06103
Centilitre 1-100th of a litre .....	.61028
Decilitre 1-10th of a litre	6.10280
LITRE, a cubic decimetre	61.02800 = nearly 2½ wine-pints.
Decalitre 10 litres	610.28000 14 = nearly 3 wine-ps.
Hecatolitre 100 litres	6102.80000
Chiliolitre, or kililitre 1000 litres	61028.00000 = 1 tun 12.75 wine-gals.
Myriolitre 10000 litres	610280.00000

3. Weights.

A Gramme is the unity of gravity; it is the exact weight of a column of pure water, equal to a cubic centimetre, or the cube of the 1-100 part of the metre, when the water is at its greatest density, or of the temperature of thawing ice. It has been found equal to 18.327 French grains, of which 576 make 472.5 English, and 439.5058 grammes make a pound of the standard of the mint at Paris.

Milligramme . 1-1000th of a gramme .....	.0154
Centigramme . 1-100th of a gramme .....	.1544
Decigramme ... 1-10th of a gramme	1.5444
GRAMME a cubic centimetre	15.4440
Decagramme ... 10 grammes	154.4402 = 6 dwts. 10.44 gr. troy, or 5.65 dr. avoird.
Hecatogramme 100 grammes	1544.4023 = 3 oz. 8.5 dr. avoird.
Chiliogramme 1000 grammes	15444.0234 = 3 lbs. 3 oz. 5 dr. avoird.
Myriogramme 10,000 grammes	154440.2344 = 22 lbs. 1.15 oz. avoird.
	100 myriogrammes = 1 ton, wanting 32.8 lbs.

4. *Agrarian, or Land Measures, &c.*

The **ARE**, or square decametre, is the unity of agrarian or land measures. It is equal to 3.95 perches. The **deciare** is 1-10th part of the are: the **centiare** is 1-100th part, and is equal to a square metre. The **hectare** is equal to 100 ares, or 2 acres, 1 rood, 35.4 perches. The **myriare** is equal to 10,000 acres.

For Fire-Wood, &c.

The **STERE** is the unity of measure for fire-wood, &c. It is a cubic metre, equal to 35.3171 cubic feet English. The **decistere** is 1-10th of the stere, and equal to 3.53171 cubic feet English.

The Old French Weights and Measures.

LONG MEASURE.—The **toise**, or fathom of France, equals 6 feet, (*pied de Roi*); the foot, 12 inches, (*pouce*); and the inch 12 lines, each subdivided into 12 points; 36 French feet are nearly equal to 81 English feet; or, more accurately, 40,000 French feet, inches, or lines, equal 42,638 English feet, inches, or lines. Thus 1 French foot equals 1.06597 English, or 12.78934 English inches; and hence one English foot equals 11.26 French inches. The **Paris aune** was 46 17-20 English inches.

The old French *road-measure* is still retained; the **lieue**, or league, is 2 French miles, each mile 1000 toises; hence the French league equals 2 English miles, 3 furlongs, and 15 poles.

The French league, however, in different parts of France, has been applied to different distances. The **marine league** (20 to a degree) equals 2853 toises, or 6081 English yards; and the **astronomical league** (25 to a degree) equals 2282 2-7 French toises, or 1865 English yards.

The **arpent**, or acre of land, contained in general 100 square perches, but the perch was various in different provinces.

The old French weight for gold and silver, (called *poids de marc*), makes the pound, or **livre**, contain 2 marcs, 16 onces, 128 gros, 384 deniers, or 9216 grains.

The French marc = 3730 grains, troy weight.

For **commercial weight**, the **poids de marc** was likewise used; and the **quintal** of 100 livres = 168 lbs. **avoirdupois**, very nearly.

Commercial weight, however, as well as measures of capacity, varied considerably in the different provinces.

Corn measure was the muid of 12 setiers, 24 mines, 48 minots, or 144 bushels.

Wine measure was the muid of 36 setiers, 144 quarters, or 288 pintes.

French Weights and Measures, according to the Imperial Decree of 1812.

The introduction of the new system of weights and measures into France has experienced general opposition, which has probably been much increased from the adoption of the new Greek denominations. The Imperial government, therefore, about the year 1812, with a view to connect the respect due to ancient habits with the preservation of the new system, allowed for a limited time that, instead of different fractions of the new weights and measures, others, called *usuelle*, should be formed, bringing them as nearly as possible to the value of those formerly in use. In consequence, the *half-kilogramme* forms, at present, a new measure called the **LIVRE USUELLE**; it is not exactly the old **livre**, *poids de marc*, but nearly 3 gros more. It has been permitted to divide this half-kilogramme, not by decimals, but, like the old **livre**, or pound, into 16 ounces, and the other divisions as in the **poids de marc**. Similar concessions have been made with respect to the divisions of measures of extent and capacity; and these changes are acceptable, because they accord with old habits. It is, however, to be borne in mind, that the government still intended to preserve, and finally, to establish, the decimal system.

Extract of the Resolution passed by the Minister of the Interior, 28th March, 1812, for the execution of the foregoing Decree.

“ART. I. It is permitted to employ for the use of commerce,

1. A measure of length equal to 2 metres, which shall be called *toise*, and be divided into 6 feet.

2. A measure equal to 1-third of the metre, or 1-sixth of the *toise*, which shall be called foot (*pied*) shall be divided into 12 inches (*pouce*) and the inch into 12 lines.

II. Each of these measures shall bear on one side the corresponding divisions of the metre, that is, the *toise*, 2 metres divided in decimetres, and the first decimetre into

millimetres, and the foot $3\frac{1}{2}$ decimetres divided into centimetres and millimetres; in all 333 $\frac{1}{3}$ millimetres.

III. The measurement of linens and stuffs may be made with a measure equal to 12 decimetres, and shall be called *aune*. This measure shall be divided into halves, quarters, eighths, and sixteenths, as well as into thirds, sixths, and twelfths. It shall bear on one side the corresponding divisions of the metre in centimetres only, viz. 120 centimetres numbered in tens.

IV. Corn and other dry goods may be measured retail with a measure equal to 1-eighth of the hectolitre, which shall be called *boisseau*, and shall have its double, halves, and quarters.

V. Each of these measures shall be marked with its name, and also the indication of its proportion with the hectolitre.

VI. For the retail sale of corn, small shot, meal, dry or green vegetables, the litre may be divided into halves, quarters, and eighths.

VII. For the retail sale of wine, brandy, and other liquors, measures of the quarter, eighth, and sixteenth, of a litre, may be employed. Each of the said measures shall be marked with its name, indicative of its proportion with the litre.

VIII. For the retail sale of all substances whose price and quantity are regulated by weight, the merchants may employ the following *poids usuels*, viz.

The *livre*, equal to the half-kilogramme or 500 grammes, which shall be divided into 16 ounces;

The *once*, the 16th of the *livre*, which shall be divided into 8 gros;

The *gros*, the 8th of the *once*, which shall be divided into 72 grains.

Each of these weights shall be likewise divided into halves, quarters, and eighths. They shall bear, besides their own name, the indication of their value in grammes."

The divisions ordained in the foregoing decrees are stated in the following table, with their proportions to the metre, and also to English weights and measures.

COMPARISON OF WEIGHTS.

Pois usuels.	Grammes.	Troy Weight.			Avoirdupois.	
		Dwt.	Gr.		Oz.	Dr.
Livre usuelle...	500.....	32	3,98	.....	17..	10,4
Half.....	250.....	16	1,99	.....	8..	13,2
Quarter.....	125.....	8	0,99	.....	4..	6,6
Eighth.....	62,5.....	4	0,49	.....	2..	3,3
Once.....	31,3.....	2	0,24	.....	1..	1,6
Half.....	15,6.....	1	0,12	.....	0..	8,8
Quarter.....	7,8.....	0	12,06	.....	0..	4,4
Gros.....	3,9.....	0	6,03	.....	0..	2,2

COMPARISON OF LINEAR MEASURES.

Mesures usuelles.	Metres.	English Measure.		
		Feet.	Inches.	Parts.
Toise usuelle.....	2.....	6	6	9
Pied, or foot.....	$0\frac{1}{3}$	1	1	$1\frac{1}{2}$
Inch.....	$0\frac{1}{12}$	0	1	$1\frac{1}{2}$
Aune.....	$1\frac{1}{2}$	3	11	3
Half.....	$0\frac{3}{4}$	1	11	$7\frac{1}{2}$
Quartier.....	$0\frac{3}{8}$	0	11	$9\frac{3}{4}$
Eighth.....	$0\frac{3}{16}$	0	5	$10\frac{1}{2}$
Sixteenth.....	$0\frac{3}{32}$	0	2	$11\frac{1}{16}$
One-third of an aune..	$0\frac{1}{2}$	1	3	9
Sixth.....	$0\frac{1}{4}$	0	7	$10\frac{1}{4}$
Twelfth.....	$0\frac{1}{6}$	0	3	$11\frac{1}{4}$

The usual or common measures of capacity may be easily computed from Table, page 22.

Weights and Measures of Germany, and the other countries of Europe,

The Weights used in Germany are very various ; but those that usually occur in chymical books are the apothecaries' weights, commonly known by the name of the Nuremberg Medicinal Weights. They are divided precisely as our English apothecaries' weight, or as follows :

20 Grains make	1 scruple.
3 Scruples	1 dram.
8 Drams	1 ounce.
12 Ounces	1 pound.

According to Gren, 1 Nuremberg lb. = 0.959266 of an English troy pound. The same ratio exists between the respective ounces, drams, scruples, and grains. Hence, to reduce Nuremberg weights to their respective English, we have only to multiply by 0.959266.

There is another weight in common use in Germany, namely, the Cologne marc, or marc of Charlemagne. It is employed in weighing gold and silver, and therefore often occurs in chymical books. It is thus subdivided :

256 Standard parts (Recht pfenningtheil) make	1 pfenning.
4 Pfennings (pennyweights or deniers) . . .	1 quentchen.
4 Quentchens (drams)	1 loth.
2 Loths	1 ounce.
8 Ounces	1 mark.

It appears from Gren that 1 Cologne ounce is equal to 0.939018 of a troy ounce, and the Cologne marc is equal to 7.512144 troy ounces. From these data it is easy to reduce the Cologne weights to the English standard.

The common measure of length in Germany is the Rhinland foot, which, like our own, is divided into 12 inches.

English Inches.

1 Rhinland foot =	12.341.
1 Rhinland inch =	1.02342.

HAMBURG.—At HAMBURG the commercial weights and measures are as follow :

WEIGHTS.—One shippound is equal to 20 lispounds of 14 lbs. or 280 lbs. : one centner is equal to 8 lispounds, or 112 lbs. : and one pound is equal to 32 loths, or 7476 English grains.

100 lbs. of Hamburg are equal to 103½ lbs. of Berlin or 106½ lbs. English.

One stone of flax is equal to 20 lbs. : one stone of wool or feathers is equal to 10 lbs. A pipe of oil is 820 lbs. net weight.

OF DRY MEASURES.—A last of corn is divided into 3 wispel, 30 scheffel, 60 fass, 120 himten, or 480 spints.

A fass contains 3215 cubic inches. A last of Hamburg is 11½ quarters English.

Coals are sold by the barrel (tonne) and a keel of Newcastle coals will deliver about 114 barrels.

LIQUID MEASURES.—A fuder of wine is divided into 6 ahms, 24 ankers, 120 viertels, 240 stuebgen, 480 kanns, or 960 quarts. A stuebgen contains 220.72 English cubic inches ; and 45 stuebgen is equal to 43 English gallons.

Whale oil is sold by steckhanss, 6 of which make a Hamburg barrel ; and 49 steckhanss are equal to 252 gallons, or an English tun.

CLOTH MEASURES.—The Hamburg ell contains 22.5783 English inches. 100 ells equal 62½ English yards.

LUBECK.—At LUBECK the centner of 112 lbs. is equal to 114 lbs. English. The shippound contains 2½ centners, equal to 20 lispounds, or 280 lbs.

A lispound is either of 16 or of 14 lbs.—One stone of flax is equal to 20 lbs. : one stone of wool or feathers is equal to 10 lbs. One pound is equal to two marks, or 16 ounces, or 32 loths, or 64 drams, or 256 pennyweights.

104 lbs. of Lubeck are equal to	-	112 lbs. English.
89 lbs. of ditto	-	87 lbs. Amsterdam.
401 lbs. of ditto	-	400 lbs. Hamburg.
82 lbs. of ditto	-	91 lbs. Dantsic.
11 lbs. of ditte	-	13 lbs. Russia.

Three English yards are equal to 4 Brabant yards, and 5 Brabant yards are equal to 8 Lubec ells; or,

14 Lubec ells are equal to	9 yards of English.
35 ditto	71 ells of Amsterdam.
191 ditto	192 ells of Dantzick.
141 ditto	142 ells of Hamburg.
58 ditto	47 Russian arsheens.

Flax, Codilla hemp, tallow, iron, and hops, are sold by the shippound of 280 lbs. Linseed, tar, and whale oil, by the barrel. Mats by the 100 pieces. Raven ducks and fens by the piece.

Coffee, sugar, cocoa, cotton, indigo, pepper, ginger, pimento, wax, bristles, and tin, by the pound weight; and rice, logwood, vitriol, and starch, by the 100 lbs.

ROSTOCK, in MECKLENBURG. The commercial weights of this place are, one shippound equal to 20 lispounds of 16 lbs. each, or 320 lbs. One pound is equal to 32 loths: and 100 lbs. equal to 112½ lbs. English. A shippound of iron and lead is only 280 lbs.

The weight of Lubec is also used in Mecklenburg, which is about 5 per cent. lighter than the above.

OF DRY MEASURES.—A last of corn is divided into 8 droemts, or 90 scheffels, equal to 13½ English quarters.

The **LIQUID MEASURES** are the same as those of Hamburg.

THE NETHERLANDS. At **AMSTERDAM** the shippound is equal to 20 lispounds = 3 centners = 37½ stone, or 300 lbs.

One lispound equals 15 lbs.; 1 stone = 8 lbs.

One pound equals 16 ounces, or 32 loths = 7625 English grains. 100 lbs. = 106½ lbs. English, or 102 lbs. of Hamburg.

OF DRY MEASURES.—The last of corn is divided into 21 3-5 tons, 27 mudden, 36 sacks; and a sack into 3 schepels, 12 vierdevats, or 96 koops.

One last equals 10½ English quarters, and 13 lasts = 12 Hamburg lasts.

Coals are sold by the hoed of 38 maaten. One keel of Newcastle coals will deliver about 15 hoeds.

Salt is sold by the hundred of 4004 maaten, equal to 7 1-3 Hamburg, or 8 1-5 English lasts.

OF LIQUID MEASURES.—An aam of wine contains 4 ankers, 8 steckanns, 21 viertels, 64 stoopen, or 128 miugels: equal to 9318 English cubic inches, or 40½ gallons.

64 mingels equal 21 Hamburg stuebgens.

Whale oil is sold per 12 steckanns, in quartels containing from 18 to 21 steckanns.

12 steckanns equal 62½ English gallons; or 48 steckanns equal 252 gallons = one tun English.

OF CLOTH MEASURES.—44 ells equal 53 Hamburg ells: 100 ells equal 75½ English yards: 85 feet equal 84 Hamburg feet: and 14 feet equal 13 English feet.

OF A SHIP'S CARGO, the **LAST** is 8 hogsheads of wine; 14 barrels of herrings; 12 barrels of pitch; 13 barrels of tar; 7 quartels of whale oil; 4000 lbs. of iron, copper, &c.; 2000 lbs. of wool and feathers. The **LAST** of wheat is 10 per cent. more than the last of rye, and the latter 20 per cent. more than the last of oats. The last of 400 lbs. is equal to 2 English tons.

KINGDOM OF HANOVER. At **EMDEN**, one shippound equals 3 centners, or 300 lbs. one centner being equal to 100 lbs.

100 lbs. of Emden equal 102 lbs. Hamburg, or 109½ lbs. English.

OF THE MEASURES, one last of corn is divided into 15 tons, 80 verps, or 120 scheffels.

One last, or 15 tons, equal 10½ quarters English.—16½ tons = one last of Hamburg. 47 ells = 55 Hamburg ells.—100 ells = 73 1-5 English yards.—100 feet = 97½ English feet.

At BREMEN, the commercial weights are, the pound, equal to 32 loths = 7700 English grains; the centner of 116 lbs.; the shippound of 2½ centners or 280 lbs.; the pundscher of 300 lbs., or for cartage 308 lbs.

100 lbs. are equal to 110 lbs. English: 97 lbs. = 100 of Hamburg: 102 lbs. = 103 of Amsterdam.

One stone of flax = 20 lbs.; one stone of wool and feathers 12 lbs.; one waage of iron = 120 lbs.

DRY MEASURES OF BREMEN.—A last of corn is divided into 4 quarts, 40 scheffels, 160 viertels, or 640 squets.

10 lasts of Bremen = 9 lasts of Hamburg.—One last = $9\frac{1}{2}$ quarters English : or 41 scheffels = one last English.

A keel of Newcastle coals is equal to $10\frac{1}{2}$ lasts, or 127 tonnes or barrels.

LIQUID MEASURES OF BREMEN.—A fuder of wine contains 6 ahms, 270 stuebgens, 1080 quarts, or 4320 mingels.

7 stuebgens = 8 stuebgens at Hamburg : 75 stuebgens = 63 gallons English. A tonne of beer contains 45 stuebgens. A tonne, or barrel, of whale oil contains 6 steckanns of 16 mingels each.—48 to 49 steckanns = 252 gallons, or one tun English.

CLOTH MEASURES OF BREMEN.—100 ells = 107 Hamburg ells, or $63\frac{1}{2}$ English yards. 35 feet = 36 Hamburg feet. 20 feet equal 19 English feet.

The particulars of a ship's cargo as at Amsterdam. See NETHERLANDS, page 27.

DENMARK. At Copenhagen 16 pounds are equal to 1 lispound. Twenty lispounds or 320 lbs. are equal to 1 shippound, which is between 11 and 12 per cent. heavier than the English. The principal measure is the barrel, which is nearly equal to 4 Winchester bushels. A barrel of coals contains 176 quarts; a barrel of grain only 144 quarts. Of coals, 18 barrels are equal to one last. Of long measures, the ell of 2 feet is about three quarters of an inch more than two English feet; and by this ell, with its fractions, all piece goods are measured. The Danish foot is longer than that of England, the proportion being nearly as 14 to 15.

Or, more particularly, the COMMERCIAL WEIGHTS are,

One shippound equal to 3 1-5 centners, = 20 lispounds.

One centner, equal to $6\frac{1}{2}$ lispounds, or 100 lbs.

One lispound, equal to 16 lbs.

One vog, equal to 16 loths, or 64 quen = 7703 English grains.

100 lbs. equal 110 lbs. English, or 103 lbs. of Hamburg.

DRY MEASURES.—A last of corn is divided into 22 toender, 96 skeppell, or 384 voertels.

21 toender (or barrels) equal $10\frac{1}{2}$ English quarters; and 100 equal 4 2-5 Hamburg lasts.

Coals are sold by the barrel of 176 pots. 18 barrels are a last. A keel of Newcastle coals make about 130 barrels or toenders.

LIQUID MEASURES.—A fuder of corn contains 4 oxhofts, or 6 ahms. An ahm is divided into 4 ankers, 40 stuebgens, $77\frac{1}{2}$ kanns, or 155 pots, equal to 9128 English cubic inches, or nearly 40 gallons.

59 ankers are equal to 61 ankers of Hamburg.

CLOTH MEASURES.—100 ells equal $68\frac{1}{2}$ English yards, and 21 equal 23 Hamburg ells 105 feet equal 108 English feet.

The favne, or fathom, contains 6 Danish feet. The miil, or mile, is equal to four geographic or nautic miles.

NORWAY. At BERGEN the Commercial Weights are,

One shippound, equal to 20 lispounds of 16 lbs. each, or 320 lbs.

One centner, equal to $6\frac{1}{2}$ lispounds, or 100 lbs.

One vog, equal to 3 bismer lbs. or 36 commoo lbs.

One bismer pound is equal to 12 lbs.

One pound is equal to 32 loths or 7703 English grains.

100 lbs. equal 110 lbs. English, and 33 = 34 of Hamburg.

DRY MEASURES.—A last of corn measures 12 toender or barrels. One barrel of corn contains 144 pots, or 8489 English cubic inches.

21 barrels equal $10\frac{1}{2}$ quarters English. 100 = 4 2-5 lasts of Hamburg. One barrel of tar equals 320 pots.

LIQUID MEASURES.—A fuder of wine is divided into 6 ahms, 24 ankers, 240 stuebgens, 465 kanns, or 930 pots. The ahm contains 9128 English cubic inches; equal to nearly 40 English gallons. 59 ankers = 61 ankers of Hamburg.

CLOTH MEASURES.—21 Norway ells equal 23 Hamburg ells. 100 = $68\frac{1}{2}$ yards English. 21 feet equal 23 Hamburg feet, and 34 equal 35 English.

In a SHIP CARGO, the last of Spanish and French salt and the last of coals contains 18 toender or barrels: and the barrel of 176 pots. 7 vog of stockfish are reckoned as a last, and 120 barrels of tar to the keel.

SWEDEN. At **STOCKHOLM** the Weights are of four distinct denominations; namely, 1st. The **MINER'S POUND**, called the Mark, of 5801 English grains, and of which 108 are equal to 83 lbs. English. 2d. the **INLAND POUND**, or Mark, of 5526 English grains, and of which 100 = 78 lbs. English. 3d. The **IRON** or **Export Weight**, called, also, **Light Weight**. 4th. The **VICTUALIE** or **Skaal weight**, which is the standard weight, or that by which almost all goods are weighed.

One shippound of iron is divided into 20 markpounds of 20 marks each, or 40 marks. A mark contains 5250 English grains.

One shippound of victualie weight is divided into 20 lispounds of 20 lbs. each, or 400 lbs.

One quintal is equal to 120 lbs. One vog = 165 lbs. One stone = 32 lbs. One lispound = 20 lbs.

One pound victualie weight = 32 loths = 6563 English grains. 100 lbs. victualie = 125 lbs. iron weight, or 93½ lbs. English, or 88 lbs. of Hamburg.

100 lbs. iron weight = 75 lbs. English, or 70½ lbs. of Hamburg.

One last of iron is = 15 shippounds: one last of victualie = 12 shippounds.

DRY MEASURES.—A last of corn contains 24 tons or barrels. A barrel is divided into 2 spans, 4 half-spans, 8 quarts, 32 kopper, or 56 kanns, and measures 8960 English cubic inches, equal to about 4 1-6 bushels, or the last, of 24 barrels, to 12½ quarters.

Coals are sold by the barrel; 155 to 160 barrels are equal to a Newcastle keel.

LIQUID MEASURES.—A fuder of Wine is divided into 2 pipes, 4 oxhofts, 6 ahms, 12 eimer, 24 ankers, 360 kanner, 720 stoops, or 2880 quarts. A kanner contains 160 English cubic inches; and one oxhoft, or 90 kanner, equals 62½ English gallons.

CLOTH MEASURES.—100 ells equal 65 English yards. 28 ells equal 29 Hamburg ells: 95 = 79 Russian arschens, and 79 = 68 ells of Amsterdam.

38 feet Swedish = 37 feet English: and 28 = 29 feet of Hamburg.

PRUSSIA, &c. viz. Stralsund, Stettin, Dantz, Königsberg, and Memel.

1. At **STRALSUND** the **COMMERCIAL WEIGHTS** are as follow: One shippound equal to 20 lispounds of 14 lbs. each, or 280 lbs. One centner equal to 8 lispounds or 112 lbs. One lispound equal to 14 lbs. One stone equal to 10 lbs. 100 lbs. = 106½ English.

DRY MEASURES.—A last of corn is divided into 8 droemts, = 96 scheffels, 384 vierfels, or 1356 metzen, equal to 14½ English quarters.

LIQUID MEASURES.—An oxhoft of wine is divided into 1½ ahm, 6 ankers, 108 kanps, or 216 pots, equal to about 52½ English gallons.

CLOTH MEASURES.—100 ells equal 63 3-5 English yards; and 63 = 64 Hamburg ells.

2. At **STETTIN** the **Commercial Weights** are,

One shippound equal to 2½ centners, 20 lispounds, or 280 lbs.

One centner equal to 8 lispounds or 112 lbs.; one lispound equal to 14 lbs.

One pound equal to 32 loths or 7238 English grains.

100 lbs. equal 109½ lbs. English; and 103½ lbs. equal 100 lbs. of Hamburg. (See Königsberg hereafter.)

One small stone (kliener) = 10 lbs. A stone of wood is 21 lbs.

One last of corn is divided into 3 whispel, 6 droemts, 72 scheffels or 1152 metzen.

One last of 72 scheffels is equal to 13½ English quarters.

Coals are sold by the barrel of 8 scheffels. 18 barrels are equal to one Newcastle chaldron.

LIQUID MEASURES.—The both of wine is divided into 1½ pipe, 2 oxhofts, 3 ahms, 12 ankers, 60 vierfels, or 360 stofs. A stof contains 89 English cubic inches.

One oxhoft, or 180 stofs, equal 69 English gallons: and 12 stofs equal 4½ stuebgen of Hamburg.

The beer-measure is the last of 6 fass, 12 barrels, or 1152 stofs. A stof is divided into 2 halves or 4 quarts, and contains 116 English cubic inches.

A barrel of 96 stofs is equal to 40 English beer gallons.

CLOTH MEASURES.—100 ells equal 73 English yards: 55 ells equal 64 Hamburg ells: 100 feet = 100½ English feet; and 75 = 74 Hamburg feet.

Of a **SHIP'S Cargo**. Ships are commonly freighted by the Dutch last, of which 5 are equal to one Stettin last. To the Dutch last are reckoned 4000 lbs. of iron and other heavy goods; 2000 lbs. of hemp, tow, and other light articles; 56½ scheffels of grain; 5 schock of pipe-staves; 7 schock of hoghead staves, or 12 schock of hoghead-headings; 9 schock of barrel-staves, or 14 schock of barrel-headings; 65 cubic feet of oak timber, or 70 cubic feet of fir timber.

One mille, of 9 loads, of fir balks	=	450 cubic feet.
One ditto oak planks and boards	=	400 ditto.
One ditto pipe staves, 1200, equal to		1800 bhd.s.
.		2400 barrels.
.		3600 hhd headings.
.		4800 barrel ditto.

17	Dantzick feet are equal to	16	English feet.
51	Dantzick ells	32	yards English.
83	ditto.	69	ells Amsterdam.
26	ditto.	21	ells Flemish.
31	ditto.	25	Russian arsheens.

One centner is equal to 110 lbs.; 1 grosser stone equal to 22 lbs.; 1 kliener stone to 20 lbs.

One *lispond* is equal to $16\frac{1}{2}$ lbs. : and one *pound* to 16 ounces or 32 *loths* = 7238 English grains.

100 lbs. Prussian equal $103\frac{1}{2}$ lbs. English, generally reckoned 104 lbs.

100 lbs. of Königsberg, as at Stettin, = $107\frac{1}{2}$ of Dantzick. — $163\frac{3}{8}$ = 100 of Hamburg. 76 = 67 of Amsterdam. — 78 = 83 of Russia.

The DRY MEASURES for GRAIN are the same as at Dantzick, already given : but, a last of salt contains 18 tons or barrels : and 100 lasts of salt at Königsberg equal 116 lasts at Dantzick.

The keel of coals measures at Königsberg $10\frac{1}{2}$ lasts.

The LIQUID and CLOTH MEASURES are the same as at Stettin, already given.

Lead and tin from England are sold at Königsberg by the centner. Pepper, with some other spices and valuable articles, by the small stone of 20 lbs. Prussian. The best sowing linseed is packed in barrels, whereof 24 contain $56\frac{1}{2}$ scheffels : the cyushing is sold by the barrel in bulk. Pearl-ashes are sold by the shippound, 6 3-5 of which make an English ton. Grain is sold by the last of $56\frac{1}{2}$ scheffels, which is from 84 to 86 bushels, Winchester measure.

In a SHIP'S CARGO, the last of weed-ashes, pitch, tar, and herrings, contains 12 barrels. One barrel of weed-ashes weighs a shippound, and a barrel of herrings contains 13 *wahl* of 60 pieces each, or 1040 herrings.

Of pearl-ashes, 11 shippounds net-weight, are reckoned for a last. The tare is fixed at 7 per cent. but it is sometimes 8 to 10, according to the size of the casks, which weigh from 5 to 6 shippounds.

60 grosser, or large stones, or 1980 lbs. of flax, equal one last ; but 40 of the same, or 1320 lbs., of feathers, are reckoned to the last.

5. At MEMEL the weights and measures, generally, are the same as at KÖNIGSBERG already given. The corn measure is the last of $56\frac{1}{2}$ scheffels, as at Dantzick, which is from $10\frac{1}{2}$ to $10\frac{1}{2}$ quarters, Winchester measure. Timber, masts, and yards, are sold by the British running foot. Linen cloth is measured by the Berlin ell, of which 137 1-5 make 100 yards English. Flax and hemp are sold by the stone of 33 lbs. Linseed by the barrel of $2\frac{1}{2}$ scheffels. Salt by the last of 6000 lbs.

RUSSIA : viz. Libau, Riga, Petersburg, and Archangel.

1. LIBAU. At Libau the commercial weights are,
One shippound, equal to 20 *Hispounds* of 20 lbs. each, or 400 lbs.
One pound is equal to 32 *loths*, or 6373 English grains.
 $109\frac{1}{2}$ lbs. are equal to 100 lbs. English ; and 117 lbs. are equal to 100 lbs. of Hamburg.
At Libau the weight of Lubeck and Hamburg is also used, which is 17 per cent. heavier than the Libau weight.

The DRY MEASURES of Libau are the LAST of wheat, rye, barley, and peas, which is of 48 loofs. A last of oats and malt is of 60 loofs.

The last of wheat, rye, &c. equals $11\frac{1}{2}$ English quarters ; and that of oats, &c. $14\frac{1}{2}$ English quarters.

Salt is sold by the last. $12\frac{1}{2}$ lasts of Liverpool salt are equal to 9 lasts of Liban. A keel of coals is estimated at 9 1-6 lasts or 440 loofs,

2. RIGA. At Riga the commercial weights are,
The last of 12 shippounds.

The shippound, equal to 4 loofs, 20 *lisponds*, or 400 lbs.

One *lispond* is equal to 20 lbs. : one pound is equal to 6454 English grains.

45 lbs. at Riga is equal to 46 lbs. Russian standard : 38 = 35 lbs. English : 22 = 19 lbs. of Hamburg : 6 1-10 = 11 lbs. of Amsterdam.

DRY MEASURES.—The last of wheat and barley contains 24 tons (barrels) or 48 loofs ; a last of oats, 30 tons, or 60 loofs ; and a last of rye $22\frac{1}{2}$ tons, or 45 loofs.

48 loofs equal $11\frac{1}{2}$ English quarters, or a *chetvert* of Russia.

Salt and linseed are measured by the ton, or barrel. Salt is 18, and linseed 12, barrels to a last. Of Liverpool white salt about $2\frac{1}{2}$ tons make a last at Riga.

LIQUID MEASURES.—A fuder of wine is divided into 6 ahms, 24 ankers, 120 *viertels*, or 720 stofs.

One ahm, or 120 stofs, equal $38\frac{1}{2}$ English gallons.

CLOTH MEASURES.—Five ells equal 3 English yards: 23 ells = 22 ells of Hamburg, and 34 = 27 of Amsterdam. Ten feet of Riga equal 9 of England.

3. **PETERSBURG.** At Petersburg the Commercial Weights are as follow:

One berkowitz, equal to 10 poods or 360 4-5 English pounds: one pood being equal to 40 lbs. or 36 1-12 English.

One pound Russian is equal to 96 solotniks, or 6313 English grains.

100 lbs. Russian = 90 1-6 English: and 118 = 100 lbs. of Hamburg.

DRY MEASURES.—The chertwert of corn is divided into two osmins, 4 pajocks, 8 chertwericks, or 64 garnetz, and contains 12447 English cubic inches. 16 chertwerts make a Russian last, equal to $11\frac{1}{2}$ English quarters.

Coals are sold by measure, and by weight. In measure, a keel of Newcastle coals should make 157 chertwerts; and, in weight, 1316 poods.

LIQUID MEASURES.—A pipe of wine is divided into 40 wedras, 320 krushkas, or 3520 charkas. The wedra contains 751.82 English cubic inches: and the pipe, therefore, should contain 130 gallons.

CLOTH and LINEAR MEASURE.—The arsheen of Russia contains 28.0114 English inches. 100 arsheens equal 77 4-5 English yards.

The English and Rhenish foot are both used in Russia.

37 Rhenish feet equal 100 English feet.

One sashe equal 7 English or 6 4-5 Rhenish feet.

The werst, or mile of Russia, contains 500 sashes or sashen, 1500 arsheens, 3500 English feet, or 3400 Rhenish feet.

In a **SHIP'S CARGO** the following quantities are reckoned equal to a gross or great last.

Of potatoes, bristles, hemp, tallow, linseed oil, caviar, and iron, 120 poods.

Of soap and wax, 100 poods.

Of anniseed, carraway seed, and cable yarn, 80 poods.

Of flax, hemp, Russian yarn, and isinglass, 60 poods.

Of corn or linseed, 16 chertwerts.

Of small mats, 600; of buckskins or large mats, 400.

To the preceding information may be added, that,

10 Poods are a berquet: 6 bequets 1 last.

63 Ditto of hemp, iron, and flax, - - - - = a ton English.

62½ Ditto of tallow - - - - - ditto.

44 Ditto of isinglass, hides, bristles, or horse-hairs, and caviar - - - - ditto.

60 Pieces of sail-cloth - - - - - ditto.

80 Ditto of flems or sheeting - - - - - ditto.

90 Ditto of raven ducks - - - - - ditto.

120 Ditto of drillings - - - - - ditto.

6500 Hare-skins - - - - - ditto.

6000 Arsheens broad diaper, and linens - - - - - ditto.

8000 Ditto huckaback and narrow ditto - - - - - ditto.

6000 Ditto crash - - - - - ditto.

5½ Winchester bushels make a chertwert, by which grain, &c. is sold.

Three Russian krushkas are equal to a gallon of beer in London.

For farther particulars, see the remarks on the loading of a ship, &c. hereafter.

AUSTRIAN STATES:—Viz. Venice and Trieste.

1. At **VENICE** the Commercial Weights are of two distinctions; viz. the peso grosso, or heavy weight, of which the pound contains 7383 English grains, and the peso sottile, or light weight of which the pound contains 4872 English grains.

The comparison of the two weights has been stated as follow, and we presume correctly.

104 3-5 lbs. peso grosso are equal to 165½ lbs. peso sottile.

One migliajo is equal to 40 miri of 25 liri each, or 1000 lbs. peso grosso.

One carrico is equal to 4 quintals of 100 lbs. each, or 400 lbs. peso sottile.

106½ lbs. peso grosso, or 168 lbs. peso sottile are equal to 112 lbs. English.

DRY MEASURES.—A sacco of corn is divided into $1\frac{1}{2}$ stari, 6 quarti, or 24 quartucci. The staro contains 4941 English cubic inches; and 39 stari equal 11 1-5 quarters English.

LIQUID MEASURES.—An amphora of wine is divided into 4 bigoncie, 16 quarti, 64 sacchi, or 1024 englistare, and contains 38543 English cubic inches, which equal 167 English gallons.

Oil is sold both by measure and weight. A migliajo of oil is divided into 40 mini, and contains 38526 English cubic inches. It weighs 1210 lbs. peso grosso, or 1200 lbs. of Hamburg weight.

CLOTH MEASURES.—100 bracci of silk equal 68 2-3 English yards; and 100 bracci of woollen equal 73 English yards.

2. At TRIESTE, as at Venice, there are two kinds of weights, of which one is called the Vienna weight, and by this goods coming from the interior of Germany are weighed; the other, called the Venice weight, is used for goods imported from other parts.

The comparison of the two weights stands as follow:

17 lbs. Vienna weight equal 20 lbs. Venice grosso weight.

7 lbs. 13 lbs. Venice sottile weight.

91 lbs. of Vienna weight, 107 lbs. of Venice grosso weight, and 168 lbs. of Venice sottile weight, each equal 112 lbs. English,

100 lbs. of Venice weight equal 115 $\frac{1}{2}$ lbs. Hamburg.

DRY MEASURES.—A staro of corn contains 3 poloniki, and is equal to 4519 English cubic inches.

38 $\frac{1}{2}$ stari are equal to 10 quarters English: and 128 are equal to 3 lasts of Hamburg.

LIQUID MEASURES.—An orna of wine, divided into 36 boccali, is equal to 17 $\frac{1}{4}$ gallons English, or 18 stuebgens of Hamburg.

An orna of oil weighs 106 lbs. Vienna weight, and contains 17 $\frac{1}{4}$ English gallons.

CLOTH MEASURES.—The general measures are the ells of woollen and of silk; of which 18 of the former equal 19 of the latter. 100 ells of woollen equal 74 and 100 of silk equal 78 English yards: 17 ells of silk equal 19 ells of Hamburg.

SPAIN:—Viz. Alicante, Barcelona, Cadiz, Malaga, and Majorca.

1. At ALICANTE the Commercial Weights are as follow,

One carga is equal to 2 $\frac{1}{4}$ quintals, or 10 arrobas.

One quintal is equal to 4 arrobas = 96 lbs. mayor (great) or 144 lbs. menor (small) weight,

One libra or pound mayor equals 18 oz. and, also, 8004 English grain.

One libra or pound menor equals 12 oz. and, also, 5336 English grains.

98 lbs. mayor or 147 lbs. menor, equal 112 lbs. English.

DRY MEASURES.—A casso of corn, divided into 12 barsellas, contains 15019 English cubic inches.

11 $\frac{1}{2}$ casso are equal to 10 English quarters; and 77 are equal to 6 Hamburg lasts.

LIQUID MEASURES.—A tonelada of wine contains two pipes: the pipe is divided into 40 arrobas or 50 cantaros. A cantaro contains 655 English cubic inches; 50 cantaros or a pipe are, consequently, equal to 141 2-3 gallons.

CLOTH MEASURES.—A vara is divided into 4 palmas. 100 varas equal 83 English yards, and 49 equal 65 ells of Hamburg.

2. At BARCELONA the commercial weights are,

The quintal equal to 4 arrobas or 104 lbs.

One libra or pound equals 12 ounces = 6313 English grains.

100 lbs. equal 90 lbs. English; and 118 $\frac{1}{2}$ lbs. equal 100 lbs. of Hamburg.

DRY MEASURES.—A salma of corn is divided into 1 3-5 cargas, 4 quarteras, or 48 cortanes, and estimated to be equal to one English quarter.

46 $\frac{1}{2}$ quarteras are equal to one last of Hamburg; and 42 quarteras are equal to one last of Amsterdam.

LIQUID MEASURES.—A cargo of wine is divided into 16 cortanes, 32 quarteras, or 128 quartas, and contains 6660 English cubic inches; equal to 29 gallons. A cargo of oil is divided into 11 arrobas, 30 cortanes, or 120 quartas.

A pipe of oil from Majorca contains 107 cortanes, equal to about 116 gallons.

CLOTH MEASURES.—A canna is divided into 2 varas or 8 palmes. 100 cannes are equal to 173 English yards, and 276 ells of Hamburg.

In Spanish America the weights and measures are the same as at Cadix.

3. At **CADIZ** the commercial weights are,

The quintal, equal to 4 arrobas; and one arroba equal to 25 libri.

One libra or pound equal to 16 ounces = 7114 English grains.

The oz. is divided into 16 adarmes. The lb. is also divided into 2 marks, each equal to 3557 English grains.

100 libri or pounds equal 102 lbs. English, or 95½ lbs. of Hamburg.

DRY MEASURES.—The last of corn and salt is divided into 4 cadis, 48 fanegas, 144 cleminas, or 576 quartillos. The fanega contains 3487 English cubic inches. Torres states the fanega as containing 3384.27 English cubic inches, according to him a fanega is equal to 1.5645 or English bushel. 49 2-5 fanegas are equal to 10 English quarters, and 55½ to one last of Hamburg.

100 lasts of salt are equal to 81 lasts English or 77 lasts of Dantzick.

LIQUID MEASURES.—A major of wine contains 16 cantaros, or arrobas mayores; a pipe 27 and a botta 30 cantaros: these 30 cantaros are equal to 124 gallons English, or 130 stuebgens of Hamburg.

The pipe of oil contains 34 arrobas menores, which are equal to 110½ gallons English, or 850 lbs. of Hamburg.

The capacity of the arroba is 684.56 English cubic inches which make it equal to 4.2622 English wine gallons.

CLOTH MEASURES.—100 varas are equal to 91½ English yards; and 100 feet to 92½ English feet.

The Burgos foot is used in commerce being equal 0.91423 of the English foot. It is divided into 12 inches 144 lines. 3 of these feet make one vara, which is divided into quarts, sixths, eighths, and sixteenths.

4. At **MALAGA** the commercial weights and cloth measures are the same as at Cadiz above.

Of the **DRY MEASURES**, a fanega of corn is divided into 12 almudas, or 48 quartillos, and contains 3696 English cubic inches.

47 fanegas equal 10 English quarters, and 52½ equal one last of Hamburg.

LIQUID MEASURES.—An arroba of wine is divided into 8 azumbres or 32 quartillos equal to 280 English cubic inches or 4 1-6 gallons.

A pipe of wine contains 30 arrobas, or 125 English gallons, or 130 stuebgens of Hamburg.

A pipe of oil is estimated at about 116 gallons English.

4. At **MAJORCA** the commercial weights are,

The quintal, equal to 4 arrobas, or 100 lbs.

One libra, or pound, equal to 12 ounces = 6487 English grains.

100 libra, or pounds are equal to 92½ lbs. English: and 115 are equal to 100 lbs. of Hamburg.

DRY MEASURES.—A quarters of corn is divided into 6 barcellas, or 36 almudas, and contains 4097 English cubic inches.

42 quarters equal 10 English quarters; and 47 equal one last of Hamburg.

LIQUID MEASURES.—A pelexo of wine contains 12 cortanes.

A pipe of oil contains 107 cortanes, equal to 116 gallons English.

CLOTH MEASURES.—A canna, equal to 1½ English yards: and 3 canna equal to 15 ditto.

PORTUGAL: viz. Lisbon and Oporto.

At **LISBON** and **Oporto** the Commercial Weights are,

The quintal, equal to 4 arrobas; and one arroba is equal to 32 libri or pounds.

One libra is equal to 16 oncas or ounces = 7084 English grains.

100 libri, or pounds, are equal to 101½ lbs. English: and 165½ are equal to 100 lbs. of Hamburg.

DRY MEASURES.—A mojo, or moys, of corn and salt, is divided into 15 fanegas, 60 alquieres, 120 mejos, 240 quartos, 480 selemis, or 960 mequias. The alquiere of Lisbon

contains 817 English cubic inches; and 211 alquieres of Lisbon are equal to 10 quarters English.

The alquiere of Oporto is equal to 10 quarters English: and 170 are equal to 10 English quarters.

LIQUID MEASURES.—A tonelada of wine is divided into 2 pipes or botas, 52 almudas, 104 alquieres or potas, 624 cannadas, or 2496 quartillos. The almuda of Lisbon contains 1040 English cubic inches, equal to 4½ gallons. 31 almudas are at London reckoned to a pipe of Lisbon wine, equal to 140 gallons.

The pipe of wine at Oporto contains 21 almudas; and, as the almuda contains 1530 English cubic inches, the pipe is equal to nearly 139½ gallons, though generally reckoned at only 136 gallons.

CLOTH MEASURES.—These are of two kinds: the one called the vara, and the other covado. A vara is divided in 5, and the covado into 3, palmes.

21 varas equal 34 covados.—147 covados of Lisbon equal 150 covados of Oporto: 27 covados of Lisbon equal 20 English yards, and 11 equal 13 ells of Hamburg. Five varas equal 6 English yards; 23=44 ells of Hamburg. Nine feet equal 10 English feet.

In a Ship's Cargo, 4 chests of Sugar, 4 pipes of oil, and 4000 lbs. of tobacco, are computed to the last for freightage.

ITALY: viz. Genoa, Livorno or Leghorn, Naples, Palermo, and Messina.

1. At Genoa, the cantaro of peso sottile (the lesser weight) is equal to 6 rubbi, 100 rotoli, or 150 lbs.

One rubbo is equal to 25 lbs. one pound equal to 12 ounces, which are equal to 4984 English grains.

141½ peso grosso (great weight) equal 150 lbs. peso sottile.—100 lbs. peso sottile equal 71 lbs. English; and 150 equal 100 lbs. of Hamburg.

DRY MEASURES.—The mina of corn is divided into 8 quarti, or 96 gambette, and contains 7116 English cubic inches.

27 mine equal 11 1-5 quarters English, and one last of Hamburg.

Of salt, a monda is 8 mine.

LIQUID MEASURES.—A mezzarola of wine contains 2 barrili, or 100 pintes. The pinte contains 91.5 English cubic inches; a mezzarola, therefore, is equal to 39½ English gallons.

A barrilo of oil is divided into 2 mezzi barrili, 4 quarti, or 128 quarteroni; and weighs 7½ rubbi, of 25 lbs. each, or 183½ peso sottile, which renders 122 lbs. at Hamburg, equal to 17½ English gallons.

CLOTH MEASURES.—A canna grossa is 10½ palmi, a canna piccoli 9 palmi, a canna linen measure 10 palmi, a braccio is 2½ palmi, and a palmo is equal to 9.725 English inches.

150 palmi equal 41 English yards: 17 equal 14 English feet: 39 equal 78 feet, and 16 = 7 ells of Hamburg.

In a Ship's Cargo, a last is computed as equal to 20 boxes of lemons, 26 barrili of oil, and 44 barrili of wine.

2. At Livorno or Leghorn, heavy goods are weighed by the migliajo of 1000 lbs. or centinajo of 100 lbs. Sugar by the cantaro of 151 lbs. Flour by the cantaro of 150 lbs. Codfish, &c. by the cantaro of 160 lbs. All fine goods are sold by the pound.

The pound, for weighing precious metals, &c. consists of 12 oncie, or ounces, 288 denari, equal to 5288 English grains. 132½ lbs. equal 100 lbs. English, and 41 equal 29 lbs. of Hamburg. The pound commercial weight, is one per cent. heavier than the pound used for weighing precious metals.

DRY MEASURES.—The maggjo is composed of 2 rubbi, 7½ sacci, 22½ staji, or 2880 busoli. The sacco contains 4498 English cubic inches.

The rubbo is 1440 busoli, the sacco 384, and the stajo, 128.

43 sacci equal 11½ quarters English, or one last of Hamburg.

LIQUID MEASURES.—A barile or barrila of wine contains 20 fiaschi, 40 boccali, 80 mezzetti, or 160 quartuci. It is equal to 2564 English cubic inches, or 11 1-10 English gallons. 31 fiaschi equal 18 stuehgens of Hamburg.

A barrila of oil contains 16 fiaschi, 32 boccali, 64 mezzetti, or 128 quartuci; equal to 1940 English cubic inches, or 8½ English gallons, or 60 lbs. of Hamburg.

CLOTH MEASURES.—A cama is composed of 4 bracci, or 8 palmi. The braccie for woollen contains 23.255, and that for silks 22.913 English cubic inches.

100 bracci of woollens equal 101 9-10 bracci of silks. 31 equal 20 English yards, and 32 equal 33 ells of Hamburg.

In a Ship's Cargo 44 barril of wine or 46 of oil, 20 boxes of fruits, or 5600 lbs. of alum, are computed to the last.

3. At Naples the commercial weights are that called *grosso* or great weight, and *piccolo* or lesser weight.

The *cantaro grosso* equals 100 *rotoli* of 33 3-5 *oncies* or ounces each.

One *rotolo* is equal to 2 4-5 *libri* or pounds.

100 *rotoli* equal 198 4-5 English.

A *cantara piccolo* is equal to 150 *libri*.

One *libra* or pound is equal to 12 ounces or 4966 English grains.

100 *libri* equal 71 lbs. English.

DRY MEASURES.—The *carro* of corn is composed of 36 *tomoli*, and a *tomoli* of wheat weighs from 45 to 48 *rotoli*. The *carro* contains 112276 English cubic inches, and is equal to 6½ quarters. 62 *tomoli* equal one last of Hamburg.

LIQUID MEASURES.—A *carro* of wine contains 2 *botti*, 23 *barrili*, or 288 *carrafi*. A pipe is composed of 4 *barrili*. A *barrilo* contains 2690 English cubic inches.

12 *barrili* or one *botto* are equal to 140 English gallons: and one *barrilo* = 12 1-6 stuebgens of Hamburg.

A *salma* of oil is composed of 10 *staje* of 32 *pignatti* each, and contains 11318 English cubic inches, which equal 49 gallons: 11 *salme* are computed as a ship's last.

CLOTH MEASURES.—A *canna* is composed of 8 *palmi*, equal to 83.05 English inches.

Ten *canne* equal 23 English yards: 19 equal 70 ells of Hamburg. 100 feet equal 86 3-5 English feet.

4. At Palermo and Messina the commercial weights are of three denominations: 1st. the *rotolo grosso* of 2½ lbs. or 33 ounces: 2d. the *rotolo sottile* of 2½ pounds, or 30 ounces: 3d. the pound (*libre*) of 12 ounces (*oncies*) = 4900 English grains.

Hence 10 *rotoli grossi* equal 11 *rotoli sottili*.

One *cantaro grosso* equals 100 *rotoli grossi*.

100 *rotoli grossi* = 193 lbs. English, or 180 lbs. of Hamburg.

100 *rotoli sottili* equal 175 lbs. English, or 164 of Hamburg.

100 *libri* or pounds = 70 lbs. English, or 65 3-5 of Hamburg.

DRY MEASURES.—The *salma grosso* is composed of 16 *tomoli*, or 64 *quarti*, and is equal to 9½ bushels English, or 6½ fass of Hamburg. The *salma generali* (used chiefly for corn) is also composed of 16 *tomoli*; but it is about 20 per cent. less than the *salma grosso*.

11 5-8 *salme generali* equal 11 1-5 English quarters, and one last of Hamburg.

LIQUID MEASURES.—Of wine, the *tonna* contains 12 *salme*, and a *salma* is composed of 8 *quartari*, or 96 *quartucci*, equal to 5340 English cubic inches, or 23 gallons.

The *salma* of Syracuse is ¼ part less than that of Palermo and Messina.

At Palermo oil is sold by the *cantaro peso grosso*, equal to 24 English gallons. At Messina it is sold by the *caffisso*, equal to 12½ *rotoli grossi* of 33 ounces each, and equal to nearly 3 gallons English.

CLOTH MEASURES.—A *canna* is divided into 8 *palmi*, equal to 76.24 English inches.

60 *canne*, or 480 *palmi*, equal 127 English yards.

8 *canne*, or 64 *palmi*, equal 27 ells of Hamburg.

100 *palmi* equal 79½ English feet.

TURKEY: viz. Constantinople, Smyrna, and Alexandria.

1. At Constantinople the commercial weights are, the *cantaar* or quintal, of 7½ great, or 29½ small, *batmans*, 44 *okas*, 100 *rotolos*, 176 *yusdromes*, or *chequees*. The *chequee* is divided into 66½ *misrals*, or 100 *drachmas*.

One great *batman* is equal to 4 *toppie* or 8 *okas*.

One small *batman* is equal to 1 *toppie* or 2 *okas*.

One *oka* is equal to 2 *rotolos* or *rottels*.

The *cantaar* or quintal is equal to 22½ lbs. English, or 115 lbs. of Hamburg weight.

A *toppo* of cotton weighs about 4 lbs. of Vienna weight, which is equal to nearly 4 3-5 lbs. English.

DRY MEASURE.—The *fortin* of corn, containing 4 *kisloz*. 99 *kisloz* are equal to 11 1-5 quarters English, or one last of Hamburg. The *kilo* or *kisloz* of wheat weighs about 22 *okas*.

LIQUID MEASURE.—The principal liquid measure is called the *almas*, 59 of which equal 77 1-6 English gallons, or 81 stuebgens of Hamburg.

CLOTH MEASURE.—The standards are called pikes, and are two lengths, the great and small. 31 great pikes equal 32 smaller. 50 great pikes equal $36\frac{1}{2}$ English yards, and 6 equal 7 ells of Hamburg.

2. At Smyrna, the cantaar or quintal consists of $7\frac{1}{2}$ batmans, $22\frac{1}{2}$ cheques, 45 okas, 100 rotolos, or 18,000 drachms.

A cantaar of cotton-wool and of tin is only 44 okas.

The rotolo is 180 drachms, and the oka, which is 400 drachms, equals $2\frac{1}{2}$ lbs. avoirdupois.

A cheque of 800 drachms of goats' wool generally renders at London 5 1-6 lbs. avoirdupois; a tessie of Brussa silk, of 610 drachms, $2\frac{1}{2}$ lbs.; a cheque of opium, of 250 drachms, $1\frac{1}{2}$ lbs.; a quintal of fruit, of 100 rotolos, one hundred weight; and a quintal of cotton-wool, of 180 rotolos, 186 lbs.

Gold and silver lace is sold by the metical of $1\frac{1}{2}$ drachm.

The pike is about three quarters of an English yard.

3. At Alexandria, as at Smyrna, the cantaar or quintal is composed of 100 rotolos, but there are several denominations of rotolos, as forforo, saydino, zauro, and mina.

The oka here consists of 200 drachms, each of 16 kirates, or 64 grains.

The Weights and Measures of Barbary.

MOROCCO.—At Morocco, Mogadore, Salee, Fez, &c. the libra or pound of Castile is generally used for weighing goods. This is divided into 2 marcs, 16 ounces, or 9216 grains.

The measures of Spain are also used, as the cahiz, or corn-measure, containing 12 fanegas, 48 quartillas, or 144 celemines. The almude or wheat measure of Salee is 40 celemines of Castile.

Cloths are measured by the cana of 12 covados of Morocco.

ALGIER.—Here the common cantaar or quintal consists of 200 rotolos; but that for weighing figs, raisins, butter, honey, dates, oil, and soap, only 166 rotolos; that for iron, lead, thread, and wool, 150; that for almonds, cheese, and cotton, 110; and, lastly, that for bronze, copper, wax, and drugs, 100.

The rotolo is divided into 16 ounces.

The mitgal, for weighing diamonds, pearls, gold, and silver, is equal to about 72 grains of troy weight.

Of CLOTH MEASURE, the pik, or Turkish pike, is divided into 8 robi. The pik moro is used for measuring linen. 100 of the latter equal 75 of the former.

TUNIS.—Here the cantaar or quintal consists of 100 rotolos, or 1600 ounces.

A caffie of corn contains 16 tumulos, and a tumulo of good wheat weighs about 50 lbs. of Tunis.

A mataro of oil contains 2 mataros of wine; it weighs 32 rotolos, and is equal to 5 English gallons.

Of CLOTH MEASURES, several pikes are used; and 45 pikes cloth measure make 48 pikes of that for silk stuffs, or 64 pikes linen measure.

Precious metals and jewels are weighed by the ounce, consisting of 8 termimes, and equivalent to $1\frac{1}{2}$ oncia peso sottile of Venice.

TRIPOLI.—At Tripoli the cantaar or quintal consists of 100 rotolos, the rotolo of 16 ounces, and the ounce of 8 termimes.

The caffie, corn measure, is equal to 20 tiberi.

A mataro of oil weighs 42 rotolos; and 7 matari of Tripoli make 10 miri of Venice.

Cloth is measured by the pike, which is equal to 2 1-5 palmi of Genoa.

Gold and silver, either in bars or coins, are weighed by the metacolo, 50 of which are equal to the Venetian marc, which is equivalent to 3686½ grains troy weight.

The Weights and Measures of America and the West-Indies.

In the Canadian Territories of British America, the weights and measures are the same as in England.

In the WEST-INDIES they vary in the colonies of the different nations. In the British Islands they are the same as in England; observing only that, at Trinidad, the quintal contains but 100 lbs.

At Cuba, and the other Spanish settlements, the Spanish weights and measures are used.

At St. Domingo, in the Haytian or western part, the weights and measures of France are still used; but, in Hispaniola, or the eastern part, those of Spain.

At St. Thomas's, St. John's, and St. Croix, the usual weights and measures are those of Denmark.

In Brazil the weights and measures are the same as those of Portugal.

A GENERAL TABLE

OF THE

AGREEMENT WHICH THE WEIGHTS OF THE PRINCIPAL
PLACES IN EUROPE HAVE WITH EACH OTHER.

Note. As the weights of Amsterdam with the old weights of Paris, Bourdeaux, Strasbourgh, Besançon, and several other places, have but the minutest difference they are all comprehended under the head of Amsterdam, as those of Nuremburg are under Frankfort, and others in the same manner.

By means of this Table, the agreement which the weights of one place have with those of another, may easily be discovered. For example: Suppose it is wanted to be known how many pounds 100 English make at Amsterdam, look for England in the first column, and thence along the line to the column under Amsterdam, and it will there be found, that 91 lbs. 18 oz. Dutch, correspond, with 100 lbs. English; and so with any other weight sought for, and vice-versa. The calculations are in pounds of 16 ounces each.

are equal to																							
England, &c.	Amsterdam, Paris, &c.	Antwerp.	Rouen.	Lyon.	Rochelle.	Toulouse, &c.	Marseilles.	Geneva.	Hamburg.	Frankfort, &c.	Leipsic.	Genoa.	Leghorn.	Milan.	Venice.	Naples.	Seville, Cadiz, &c.	Portugal.	Liege.	Russia, or Muscovy.	Sweden.	Denmark.	
lb.	oz.	lb.	oz.	lb.	oz.	lb.	oz.	lb.	oz.	lb.	oz.	lb.	oz.	lb.	oz.	lb.	oz.	lb.	oz.	lb.	oz.	lb.	oz.
100	0	91	8	96	8	88	0	106	0	93	9	107	11	113	0	81	7	93	5	89	7	93	5
109	8	100	0	105	8	96	4	116	0	99	0	118	0	123	8	89	0	102	0	98	6	102	0
103	12	94	12	100	0	91	4	110	0	93	13	111	12	117	0	84	5	96	10	92	13	96	10
113	14	104	0	109	12	100	0	120	8	102	15	122	11	128	8	92	9	106	0	102	6	106	0
94	3	86	0	90	12	82	12	100	0	85	2	101	8	106	4	76	8	87	12	84	4	87	12
110	9	101	0	106	8	97	3	117	0	100	0	119	3	124	12	89	14	103	0	99	0	103	0
92	5	84	12	89	6	81	8	98	5	83	15	100	0	105	4	75	7	86	7	83	0	86	7
88	11	81	0	85	8	78	0	94	0	80	3	95	9	100	0	72	0	82	10	79	6	82	10
123	0	112	6	118	8	108	0	130	5	111	6	102	9	128	4	100	0	114	10	110	2	110	2
107	5	98	0	103	6	94	4	113	10	97	0	115	10	121	0	87	4	100	0	89	11	100	0
111	11	102	0	107	8	98	3	118	5	101	0	120	6	126	0	90	12	104	0	100	0	104	0
104	5	95	4	100	0	91	12	110	8	94	4	112	6	117	12	84	12	92	2	93	5	92	2
73	0	66	4	70	5	64	0	77	5	66	0	78	10	82	5	59	5	68	0	65	5	68	0
75	8	69	0	72	12	66	6	80	0	68	5	81	6	85	4	61	6	70	6	67	10	67	10
65	3	59	8	62	12	57	4	69	0	58	14	70	3	73	8	53	0	60	1	58	5	60	1
65	11	60	0	63	6	57	12	69	10	59	6	70	13	74	2	53	6	61	3	58	13	61	3
64	10	59	0	62	4	57	0	68	7	58	6	69	10	72	14	52	8	60	2	57	13	60	2
103	7	94	8	99	12	91	0	169	10	93	9	111	8	116	11	84	2	96	6	93	10	96	6
95	4	87	8	92	0	84	4	101	8	86	0	103	4	108	0	77	14	89	4	85	12	89	4
104	0	95	0	100	3	91	7	110	3	94	0	112	0	117	5	84	8	96	14	93	0	96	14
88	12	81	4	85	2	78	0	94	1	80	6	95	9	100	5	72	4	82	13	79	6	82	13
93	7	85	8	90	2	82	3	99	1	84	9	100	9	105	9	76	1	87	2	83	9	87	2
111	12	102	4	107	13	98	5	118	7	115	15	125	5	126	4	91	0	104	4	99	14	104	4

	Of Leipsic, &c.		Of Genoa.		Of Leghorn.		Of Milan.		Of Venice.		Of Naples.		Of Seville, Cadiz, &c.		Of Portugal.		Of Liege.		Of Russia.		Of Sweden.		Of Denmark.	
	lb.	oz.	lb.	oz.	lb.	oz.	lb.	oz.	lb.	oz.	lb.	oz.	lb.	oz.	lb.	oz.	lb.	oz.	lb.	oz.	lb.	oz.	lb.	oz.
England, &c.	96	1	137	4	132	11	153	11	152	0	154	10	97	0	104	13	96	5	112	9	107	1	89	1
Amsterdam, Paris, &c.	105	0	150	0	45	0	168	0	166	0	169	0	106	0	114	8	105	4	123	1	117	0	97	13
Antwerp	99	8	142	2	137	6	159	3	157	1	160	2	108	0	108	8	99	11	116	0	111	0	92	13
Rouen	102	4	155	0	150	13	147	11	172	12	175	12	110	4	119	0	109	7	128	0	121	1	101	10
Lyons	90	5	129	0	124	11	144	8	142	14	145	6	91	3	98	8	90	8	106	0	101	0	84	0
Rochelle	106	0	151	8	146	7	169	11	167	10	170	11	107	0	115	10	106	5	124	1	117	1	98	13
Toulouse, &c.	89	8	127	2	122	14	142	6	140	0	143	4	89	13	97	0	89	3	104	1	99	1	83	1
Marseilles	85	8	121	8	117	7	136	1	134	8	136	14	85	13	92	12	85	4	99	1	94	1	79	1
Geneva	118	0	168	9	163	0	188	13	186	8	189	14	119	2	128	8	118	4	138	1	131	1	109	1
Hamburg	102	15	147	0	142	2	164	10	162	11	165	10	103	13	112	4	103	2	120	1	114	1	95	1
Frankfort, &c.	107	1	153	0	147	14	171	6	169	5	172	6	108	2	116	13	107	6	125	1	119	1	100	1
Leipsic	100	0	142	13	138	1	160	0	158	2	161	0	101	0	109	0	100	4	117	1	111	1	93	1
Genoa	70	0	100	0	96	11	112	11	110	11	112	11	70	11	76	5	70	6	83	7	79	1	66	1
Leghorn	72	8	103	8	100	0	116	0	114	8	116	9	73	0	79	0	72	10	84	0	80	1	67	1
Milan	62	8	89	4	86	4	100	0	98	12	100	8	63	0	68	2	62	10	73	0	69	1	58	1
Venice	63	0	90	0	87	0	100	13	100	0	101	6	63	9	68	11	63	0	74	0	70	1	58	1
Naples	62	0	88	8	85	8	99	2	98	0	100	0	62	8	67	9	62	0	72	1	69	1	57	1
Seville, Cadiz, &c.	99	4	141	12	137	0	158	12	156	14	159	12	100	0	108	3	99	14	116	0	110	1	92	1
Portugal	91	13	131	4	126	13	147	0	145	14	148	0	92	12	100	0	92	0	107	1	102	1	85	1
Liege	99	12	142	8	137	12	159	9	157	11	160	10	100	9	108	12	100	0	116	1	111	1	92	1
Russia, or Muscovy	85	4	121	13	117	13	136	7	134	15	137	4	86	3	93	1	85	8	100	0	95	0	79	1
Sweden	89	12	128	3	124	0	143	9	142	0	144	7	90	9	97	15	90	0	105	1	100	0	83	1
Denmark	107	5	153	5	148	4	171	11	169	13	172	12	109	1	117	1	107	10	125	1	119	1	100	0

100 lbs. weight of

are equal to

A TABLE

Representing the conformity which the Long Measures of the principal trading cities of Europe have with each other.

The Ells of Amsterdam, Haarlem, Leyden, the Hague, Rotterdam, and other cities of Holland, as well as the Ell of Nuremberg, are equal among themselves, and are comprehended under the Ell of Amsterdam, and the Ell of Berne and Basle under that of Hamburg, Frankfurt, and Leipsic.

MEASURES.	make													
	Yards of Eng- land, Scotland, and Ireland.	Ells of Holland & Amsterdam.	Ells of Antwerp and Brussels.	Ells of Hamb. Frankf. Leipsic and Cologne.	Ells of Bergen & Drontheim.	Ells of Sweden and Stockholm.	Canes of Mont- pellier.	Canes of Toulon Albi, and Cas- res.	Canes of Genoa of 9 palmes.	Vares of Castile and Biscay.	Vares of Cadiz and Andalusia.	Vares of Portu- gal or Lisbon.	Covadoes of Por- tugal or Lisbon.	Brasses of Flo- rence, Leghorn, and Lucca.
100 yards of England, Scotland, and Irel.	100	133 $\frac{1}{2}$	131 $\frac{1}{2}$	160	146 $\frac{1}{2}$	154	46 $\frac{1}{2}$	50	40 $\frac{1}{2}$	107	109 $\frac{1}{2}$	81 $\frac{1}{2}$	133 $\frac{1}{2}$	154 $\frac{1}{2}$
100 ells of Holland and Amsterdam.	75	100	98 $\frac{1}{2}$	120	110	114 $\frac{1}{2}$	35	37 $\frac{1}{2}$	30 $\frac{1}{2}$	80	81 $\frac{1}{2}$	61	100	116 $\frac{1}{2}$
100 ells of Antwerp and Brussels.	76	101 $\frac{1}{2}$	100	121 $\frac{1}{2}$	111 $\frac{1}{2}$	116	35 $\frac{1}{2}$	38	30 $\frac{1}{2}$	81	84	61 $\frac{1}{2}$	101 $\frac{1}{2}$	118
100 ells of Hamburg, Frankfurt, &c.	62 $\frac{1}{2}$	83 $\frac{1}{2}$	82 $\frac{1}{2}$	100	91 $\frac{1}{2}$	95 $\frac{1}{2}$	29 $\frac{1}{2}$	31 $\frac{1}{2}$	25 $\frac{1}{2}$	65 $\frac{1}{2}$	68 $\frac{1}{2}$	50 $\frac{1}{2}$	83 $\frac{1}{2}$	97
100 ells of Bergen and Drontheim.	67 $\frac{1}{2}$	90	89	108	100	103	31 $\frac{1}{2}$	33 $\frac{1}{2}$	27 $\frac{1}{2}$	72	74 $\frac{1}{2}$	55	90	105
100 ells of Sweden and Stockholm.	65 $\frac{1}{2}$	87 $\frac{1}{2}$	86 $\frac{1}{2}$	105	96 $\frac{1}{2}$	100	30 $\frac{1}{2}$	32 $\frac{1}{2}$	26 $\frac{1}{2}$	70	71 $\frac{1}{2}$	53 $\frac{1}{2}$	87 $\frac{1}{2}$	102
100 canes of Marseilles and Montpellier	214 $\frac{1}{2}$	286	282 $\frac{1}{2}$	343 $\frac{1}{2}$	314 $\frac{1}{2}$	327 $\frac{1}{2}$	100	107 $\frac{1}{2}$	87 $\frac{1}{2}$	228 $\frac{1}{2}$	234	174 $\frac{1}{2}$	286	333 $\frac{1}{2}$
100 canes of Toul. and Upper Languedoc	199 $\frac{1}{2}$	266 $\frac{1}{2}$	263 $\frac{1}{2}$	320	193 $\frac{1}{2}$	304	93 $\frac{1}{2}$	100	81 $\frac{1}{2}$	213 $\frac{1}{2}$	213	162 $\frac{1}{2}$	266 $\frac{1}{2}$	309 $\frac{1}{2}$
100 canes of Genoa, of 9 palmes.	245 $\frac{1}{2}$	327	323	392 $\frac{1}{2}$	359 $\frac{1}{2}$	374 $\frac{1}{2}$	114 $\frac{1}{2}$	122 $\frac{1}{2}$	100	261 $\frac{1}{2}$	268 $\frac{1}{2}$	199 $\frac{1}{2}$	327	381
100 vares of Castile and Biscay.	93 $\frac{1}{2}$	125	123 $\frac{1}{2}$	150	137 $\frac{1}{2}$	143 $\frac{1}{2}$	43 $\frac{1}{2}$	46 $\frac{1}{2}$	38 $\frac{1}{2}$	100	102 $\frac{1}{2}$	76 $\frac{1}{2}$	125	145 $\frac{1}{2}$
100 vares of Cadiz and Andalusia.	91 $\frac{1}{2}$	122 $\frac{1}{2}$	119	146 $\frac{1}{2}$	134 $\frac{1}{2}$	139 $\frac{1}{2}$	32 $\frac{1}{2}$	45	37 $\frac{1}{2}$	97 $\frac{1}{2}$	100	74 $\frac{1}{2}$	122 $\frac{1}{2}$	142
100 vares of Portugal or Lisbon.	123	164	162	196 $\frac{1}{2}$	180 $\frac{1}{2}$	187 $\frac{1}{2}$	57 $\frac{1}{2}$	61 $\frac{1}{2}$	50	131 $\frac{1}{2}$	134	100	164	191
100 covadoes of Portugal or Lisbon.	74	100	98 $\frac{1}{2}$	120	110	114 $\frac{1}{2}$	35	37 $\frac{1}{2}$	30 $\frac{1}{2}$	80	81 $\frac{1}{2}$	61	100	116 $\frac{1}{2}$
100 brasses of Florence, Leghorn, &c.	65 $\frac{1}{2}$	85 $\frac{1}{2}$	84 $\frac{1}{2}$	102 $\frac{1}{2}$	94	98	30	32	26 $\frac{1}{2}$	68 $\frac{1}{2}$	70 $\frac{1}{2}$	32 $\frac{1}{2}$	95 $\frac{1}{2}$	100

N. B. By means of this Table, the reader may please to observe, that 100 yards of England make 133 $\frac{1}{2}$ ells of Holland; and in like manner he will find how the measures of other places in the table correspond with each other. By the common rule of three, or proportion, he will easily make his computations for any quantity required.

General Table of the Agreement which the Corn Measures in the principal places of Europe have with those of England and Amsterdam.

10 $\frac{1}{4}$ quarters English, or 82 Winchester bushels, (or a last at Amsterdam, Dantzic, Elbing, and Konigsburg,) make, at

Aiguillon, 41 sacks.
 Albi, 25 setiers.
 Alicante, 12 cahizes.
 Alkmaar, 36 sacks.
 Amersfort, 16 muddes.
 Amsterdam, 1 last.
 Antwerp, 32 $\frac{1}{2}$ viertels.
 Arles, 49 setiers.
 Bayonne, 36 sacks.
 Beaucaire, 28 setiers.
 Beaumont, 38 sacks.
 Bergen-op-Zoom, 63 setiers.
 Bois-le-Duc, 20 $\frac{1}{2}$ mouders.
 Bommel, 18 muddes.
 Bordeaux, 38 boisseaux.
 Breda, 33 $\frac{1}{2}$ viertels.
 Bruges, 17 $\frac{1}{2}$ hoedts.
 Brussels, 25 sacks.
 Bueren, 21 muddes.
 Cadillac, 33 $\frac{1}{2}$ sacks.
 Cadiz, hanegas.
 Cahors, 100 cartes.
 Campen, 24 $\frac{1}{2}$ muddes.
 Carcassone, 35 setiers.
 Clairac, 34 $\frac{1}{2}$ sacs.
 Cleves, 16 $\frac{1}{2}$ mouders.
 Condom, 41 sacs.
 Copenhagen, 42 tons.
 Dantzic, 1 last.
 Delft, 29 sacks.
 Deventer, 36 muddes.
 Doesbourg, 22 mouders.
 Dort, or Dordrecht, 24 sacks.
 Dunkirk, 18 razieres.
 Edam, 27 muddes.
 Elbing, 1 last.
 Emden, 15 $\frac{1}{2}$ tuns.
 Erfsalsteyn, 21 muddes.
 Frankfort, 27 malders.
 Gand or Ghent, 56 halsters.
 Genoa, 25 mines.
 Glimond, 20 sacks.
 Gravelines, 22 razieres.
 Haarlem, 38 sacks.
 Hamburg, $\frac{1}{3}$ of a last.

Heusben, 17 $\frac{1}{2}$ muddes.
 Hoorne, 44 sacks.
 Konigsburg, 1 last.
 Brille, 40 sacks.
 La Reole, 30 sacks.
 Lavour, 21 setiers.
 Leyden, 44 sacks.
 Libourne, 35 sacks.
 Liege, 96 setiers.
 Lisle, in Flanders, 38 razieres.
 Lisbon, 216 alquiers.
 Leghorn, 40 sacks.
 Louvain, 27 muddes.
 Lubek, 95 scheffels.
 Middlebourg, 41 $\frac{1}{2}$ sacks.
 Montfort, 21 muddes.
 Muyden, 44 sacks.
 Naerden, 44 sacks.
 Nerack, 33 $\frac{1}{2}$ sacks.
 Nieupoort, 17 $\frac{1}{2}$ razieres.
 Oudewater, 21 muddes.
 Paris, 19 setiers.
 Porto Port, 180 alquiers.
 Pumerens, 27 muddes.
 Rabastens, 17 setiers.
 Rhenen, 20 muddes.
 Ruremond, 68 schepels.
 Riga, 46 loopens.
 Rotterdam, 29 sacks.
 St. Gilles, 40 charges.
 St. Omer, 22 $\frac{1}{2}$ razieres.
 St. Valery, 19 setiers.
 Saumer, 19 setiers.
 Steenberg, 25 viertels.
 Stockholm, 23 tuns.
 Terveer, 39 sacks.
 Thiel, 21 muddes.
 Toulouse, 26 setiers.
 Tongres, 15 muddes.
 Tonningen, 24 tuns.
 Vealoo, 21 $\frac{1}{2}$ mouders.
 Vianen, 20 muddes.
 Utrecht, 25 muddes.
 Zuirick Zee, 40 sacks.



The Weight of each Piece or Bolt of British Sail Cloth, as required by law; the Length being 38 Yards, and Breadth 24 Inches.

DOUBLE THREADS.		
No. 1	- to weigh -	44 lbs.
2	_____	41
3	_____	38
4	_____	35
5	_____	32
6	_____	29

SINGLE THREADS.		
No. 7	- to weigh -	24 lbs.
8	_____	21
9	_____	18
10	_____	15

CHAPTER III.

Exchange.

Exchange may be compared with barter; as it is the paying or receiving of money in one country for its equivalent in the money of another, by means of bills of exchange. Or it has been more fully defined as, the reduction of different coins, or any denominations of money, from one to another: or, as the method of finding how many of one species or denomination are equal to a given number of another: in order to which, it is necessary to know the value of the coins of different countries, and the proportion to each other, according to the settled rate of exchange. The several operations, in this case, are only different applications of the Rule of Three.

The *Par of Exchange* is the real or intrinsic value of the different species of foreign money equalized to those of the United States, and *vice versa*.

The *Course of Exchange* is the current price of a sum of money between two places. This price is constantly fluctuating, according to the circumstances of trade, or as cash or bills are more or less plentiful; and fluctuating thus, it is seldom at par, but generally either above or below it.

Usance is the usual term of bills between certain places; as, one, two, or three, months after date: and double usance, treble, or half, mean double, treble, or half, the usual time. When necessary to divide a month upon half usance, the division contains fifteen days.

Days of Grace are a certain number of days exceeding the term expressed, which is generally granted before the bill is paid. The number of these days varies according to the custom of different countries.

We shall illustrate this subject with some examples of the operations of direct exchange between London and other places.

EXAMPLE OF THE LONDON COURSE OF EXCHANGE.

Uncertain Prices.		Certain Prices.	
Dublin . . . gives . . .	108½	Pounds Irish . . . for	100 Pounds British.
Amsterdam gives . . .	35	Schillings Flemish for	1 Pound sterling.
Rotterdam gives . . .	12	Florins current . . . for	ditto
Hamburg . . . gives . . .	33	Schillings Flemish for	ditto
Paris gives . . .	24	Francs for	ditto
— gives . . .	24	Livres Tournois . . . for	ditto
Madrid . . . receives	39	Pence sterling . . . for	1 Dollar of Exchange.
Lisbon . . . receives	66	Pence sterling . . . for	1 Milrea.
Leghorn . . . receives	50½	Pence sterling . . . for	1 Pezza of 8 reals.
Genoa . . . receives	49	Pence sterling . . . for	1 Pezza fuori di Banco.
Naples . . . receives	39	Pence sterling . . . for	1 Ducat di Regno.
Venice . . . receives	57	Lire Piccole for	1 Pound sterling.

London exchanges on Dublin in pounds, shillings, and pence, British sterling.

The par 8½ per cent. or £108 6 8 Irish for £100 British.

Reduce £750 12 6 British sterling into Irish sterling, at par.

£750	12	6
		8
<hr/>		
6005	0	0
250	4	2=½d
<hr/>		
62,55	4	2
		20
<hr/>		
11,04		
<hr/>		
£750	12	6
		62 11 0
<hr/>		

Ans. £813 3 6 Irish sterl.

Dublin exchanges on London in pounds, shillings, and pence, Irish sterling, to distinguish it from British sterling.

Reduce £813 3 6 Irish sterling into British sterling, at 8½ per cent.

RULE.

The difference being 1d. in a shilling, divide the given sum by 13, thus:

	13)	813	3	6
Less		62	11	3

Ans. £750 12 6 British sterl.

MONEY is either *real* or *imaginary*. Real money includes all coins, whether of gold, silver, copper, or the like; such as guineas, pistoles, or ducats, &c. &c. Imaginary money, or money of account, is that which never existed, or at least which does not exist in real specie, but is a denomination invented or retained to facilitate the stating of accounts, by keeping them still on a permanent basis, not to be changed like currency, which the authority of the sovereign sometimes raises or depresses according to the exigencies of the state: of this kind are pounds, livres, marks, &c.

With regard to the imaginary or *nominal* moneys hereafter quoted, their *actual* value in *British Sterling* is placed opposite to them, except as to a few, uninfluenced by the fluctuations which are the result of a favourable or unfavourable state of commercial exchange between one country and another; and it is therefore to be remembered, in perusing the following tables, that, in bill transactions, where, for example, a sum of money is to be remitted to, or received from, a foreign country, the said sum must not be calculated according to the actual value of the currency, but by the course of exchange of the day.

The value in federal money can be easily ascertained by the common rule of three; and to assist in this operation, the value of British sterling is given in Federal currency.

UNITED STATES of AMERICA. In the United States four different currencies, or rates, at which any one species of coin, of the same value, is reckoned in the denominations of account, have perhaps, from the first settlement of America, been, and still continue to be, used in different parts of the Union. In the New England States, viz. New Hampshire, Massachusetts, Maine, Rhode Island, and Connecticut; in Vermont, Virginia, and Kentucky, the dollar is received at six shillings; in New-York and North Carolina, at eight shillings; in New Jersey, Pennsylvania, Delaware, and Maryland, at seven shillings and six-pence; and in South Carolina and Georgia, at four shillings and eight-pence.

The legal currency, which is chiefly used by correct merchants, is composed of eagles, dollars, dimes, cents, and mills; each denomination being a decimal part of the preceding.

In the trade and intercourse with the different parts of the United States, brief rules, with tables, for reducing the currency of one State to that of another, are particularly useful: and for this purpose those which follow have been composed.

RULES FOR REDUCING THE CURRENCIES of the different States to a par with each other: as also for reducing the Money of Account of the United States to those Currencies, and, vice versa, by decimals.

1. To reduce New England, &c. to New-York and North Carolina currency, to any given sum add its third part; and, *vice versa*, subtract a fourth part.

2. To reduce New England, &c. to New Jersey, &c. currency, add to any given sum its fourth part; and, *vice versa*, subtract a fifth part.

3. To reduce New England, &c. to South Carolina and Georgia currency, as 8 to 7; and, *vice versa*, as 7 to 8; so is the one currency to the other.

4. To reduce New-York and North Carolina to New-Jersey, &c. currency; as 16 to 15; and, *vice versa*, as 15 to 16; so is the one to the other.

5. To reduce New-York and North Carolina to South Carolina and Georgia currency, as 12 to 7; and, *vice versa*, as 7 to 12; so is the one to the other.

6. To reduce New Jersey, &c. to South Carolina and Georgia currency; as 45 to 28; and, *vice versa*, as 28 to 45; so is the one to the other.

7. To reduce any of the above currencies to the money of account of the United States, let the inferior denominations, if any, in the given sum, be annexed to the pounds in decimals, and divide, if the rate of the dollar be six shillings, by 3; if eight shillings, by 4; if seven shillings and six-pence, by 375; if four shillings and eight-pence, by 23; and, pointing off the decimal according to rule, the figures to the left will be dollars, those to the right decimals of a dollar, or dimes, cents, and mills. And to reduce the money of account of the United States of either of the aforesaid currencies, multiply respectively by the decimals, by which in the former case, it was directed to divide, and the product will be pounds and decimals of a pound.

The Coins of the United States as established by law, are as follow:

COLD COINS. Dollars.		Grains of fine Gold.	Grains of standard ditto.
Eagles, value each	10	} containing	} or
Half Eagles . . .	5		
Quarters	2½		
		247.5	270
		123.25	135
		61.125	67½

Exchange.

SILVER COINS.		Grains of pure Silver.		Grains of standard ditto.	
Dollars	} containing	871	4-16	416	
Half-Dollars		185	10-16	208	
Quarter-Dollars . . .		92	12-16	104	
Dimes		37	2-16	41	3-5
Half-Dimes		18	9-16	20	4-5

COPPER COINS.

Cents, value each 1-100 doll. }	} containing	168	} grains.
Half-Cent, . . . 1-200 doll. }		133	

Mills.	Cents.	Dimes.	Doll.	Eagle.
10 equal	1			
100 equal	10 equal	1		
1000 equal	100 equal	10 equal	1	
10000 equal	1000 equal	100 equal	10	equal 1

In EXCHANGE with Great Britain, the usance is 60 days. Government bills 30 days. Days of grace, 3.

If a foreign bill be returned with protest for non-payment, the damages charged thereon in Maryland, North and South Carolina, and Georgia, is 15 per cent. with 6 per cent. interest from the date of the protest; in New-Jersey, Delaware, New-York, and Pennsylvania, 20 per cent. with 6 per cent. interest from the day of presenting the protest; in New-England, 10 per cent. and expenses, with 6 per cent. interest from the date of the protest. By a statute of the state of New-York, if a bill be drawn upon any person in the states of New-Hampshire, Vermont, Massachusetts, Rhode-Island, Connecticut, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, or the District of Columbia, 5 per cent. is given; if in the states of North or South Carolina, or Georgia, 7½ per cent.; and if in any other place upon or adjacent to this continent north of the equator, (comprehending all the islands in the Atlantic) ten per cent. In New-York the damages are calculated after the rate of exchange, and not upon the face of the bill. In New-England, the damages are calculated upon the face of the bill. The American dollar is worth, in English silver, 4s. 7.1858 pence; in English gold coin at 3l. 17s. 10½d. per oz., 4s. 4.5656 pence. In gold bullion at 4l. 1s. per oz., 4s. 6.675 pence. The medium par dollar, 4s. 5.8757 pence.

TABLE

Shewing the Number of Cents, and Decimal Parts of Cents (or Mills) in any Number of Shillings and Pence, less than a Dollar, in the Currencies of the different States.

Shillings and Pence currency.		New-England, Vermont, Virginia, and Kentucky.	New-York and North Carolina.	N. Jersey, Pennsylvania, Delaware, & Maryland.	South Carolina and Georgia.	Shillings and Pence currency.		New-England, Vermont, Virginia, and Kentucky.	New-York and North Carolina.	N. Jersey, Pennsylvania, Delaware, & Maryland.	South Carolina and Georgia.
s.	d.	Cents.	Cents.	Cents.	Cents.	s.	d.	Cents.	Cents.	Cents.	Cents.
0	1	1.38	1.04	1.11	1.78	4	1	68.05	51.04	54.44	87.50
0	2	2.77	2.08	2.22	3.57	4	2	69.44	52.08	55.55	89.28
0	3	4.16	3.12	3.33	5.35	4	3	70.83	53.12	56.66	91.07
0	4	5.55	4.16	4.44	7.14	4	4	72.22	54.16	57.77	92.85
0	5	6.74	5.20	5.55	8.92	4	5	73.61	55.20	58.88	94.64
0	6	8.53	6.24	6.66	10.71	4	6	75.00	56.24	60.00	96.42
0	7	9.72	7.28	7.77	12.50	4	7	76.38	57.28	61.11	98.21
0	8	11.11	8.32	8.88	14.28	4	8	77.77	58.32	62.22	100.00
0	9	12.50	9.37	10.00	16.07	4	9	79.16	59.37	63.33	
0	10	13.88	10.41	11.11	17.85	4	10	80.55	60.41	64.44	
0	11	15.27	11.45	12.22	19.64	4	11	81.94	61.45	65.55	
1	0	16.66	12.50	13.33	21.42	5	0	83.33	62.50	66.66	
1	1	18.05	13.54	14.44	23.21	5	1	84.72	63.54	67.77	
1	2	19.44	14.58	15.55	25.00	5	2	86.11	64.58	68.88	
1	3	20.83	15.62	16.66	26.78	5	3	87.50	65.62	70.00	
1	4	22.22	16.66	17.77	28.57	5	4	88.88	66.66	71.11	
1	5	23.61	17.70	18.88	30.35	5	5	90.27	67.70	72.22	
1	6	25.00	18.75	20.00	32.14	5	6	91.66	68.75	73.33	
1	7	26.38	19.79	21.11	33.92	5	7	93.05	69.79	74.44	
1	8	27.77	20.83	22.22	35.71	5	8	94.44	70.83	75.55	
1	9	29.16	21.87	23.33	37.50	5	9	95.83	71.87	76.66	
1	10	30.55	22.91	24.44	39.28	5	10	97.22	72.91	77.77	
1	11	31.94	23.95	25.55	41.07	5	11	98.61	73.95	78.88	
2	0	33.33	25.00	26.66	42.85	6	0	100.00	75.00	80.00	
2	1	34.72	26.04	27.77	44.64	6	1		76.04	81.11	
2	2	36.11	27.08	28.88	46.42	6	2		77.08	82.22	
2	3	37.50	28.12	30.00	48.22	6	3		78.12	83.33	
2	4	38.88	29.16	31.11	50.00	6	4		79.16	84.44	
2	5	40.27	30.20	32.22	51.78	6	5		80.20	85.55	
2	6	41.66	31.24	33.33	53.57	6	6		81.24	86.66	
2	7	43.05	32.28	34.44	55.35	6	7		82.28	87.77	
2	8	44.44	33.32	35.55	57.14	6	8		83.32	88.88	
2	9	45.83	34.37	36.66	58.92	6	9		84.37	90.00	
2	10	47.22	35.41	37.77	60.71	6	10		85.41	91.11	
2	11	48.61	36.45	38.88	62.50	6	11		86.45	92.22	
3	0	50.00	37.50	40.00	64.28	7	0		87.50	93.33	
3	1	51.38	38.54	41.11	66.07	7	1		88.54	94.44	
3	2	52.77	39.58	42.22	67.85	7	2		89.58	95.55	
3	3	54.16	40.62	43.33	69.64	7	3		90.62	96.66	
3	4	55.55	41.66	44.44	71.42	7	4		91.66	97.77	
3	5	56.94	42.70	45.55	73.21	7	5		92.70	98.88	
3	6	58.33	43.75	46.66	75.00	7	6		93.75	100.00	
3	7	59.72	44.79	47.77	76.78	7	7		94.79		
3	8	61.11	45.83	48.88	78.57	7	8		95.83		
3	9	62.50	46.87	50.00	80.35	7	9		96.87		
3	10	63.88	47.91	51.11	82.14	7	10		97.91		
3	11	65.27	48.95	52.22	83.92	7	11		98.95		
4	0	66.66	50.00	53.33	85.71	8	0		100.00		

TABLE

Shewing the VALUE of DOLLARS, from 1 to 10,000, in the Currencies of the different STATES OF AMERICA.

Dollars.		New-England, Vermont, Virginia, and Kentucky.		New-York and North Carolina.		New-Jersey, Pennsylvania, Delaware, and Maryland.		South Carolina and Georgia.		
£	s.	£	s.	£	s.	£	s.	£	s.	
1	0	6	0	8	0	7	6	0	4	8
2	0	12	0	16	0	15	0	0	9	4
3	0	18	1	4	1	2	6	0	14	0
4	1	4	1	12	1	10	0	0	18	8
5	1	10	2	0	1	17	6	1	3	4
6	1	16	2	8	2	5	0	1	8	0
7	2	2	2	16	2	12	6	1	12	8
8	2	8	3	4	3	0	0	1	17	4
9	2	14	3	12	3	7	6	2	2	0
10	3	0	4	0	3	15	0	2	6	8
11	3	6	4	8	4	2	6	2	11	4
12	3	12	4	16	4	10	2	16	0	
13	3	18	5	4	4	17	6	3	0	8
14	4	4	5	12	5	5	0	3	5	4
15	4	10	6	0	5	12	6	3	10	0
16	4	16	6	8	6	0	0	3	14	8
17	5	2	6	16	6	7	6	3	19	4
18	5	8	7	4	6	15	0	4	4	0
19	5	14	7	12	7	2	6	4	8	8
20	6	0	8	0	7	10	0	4	13	4
21	6	6	8	8	7	17	6	4	18	0
22	6	12	8	16	8	5	0	5	2	8
23	6	18	9	4	8	12	6	5	7	4
24	7	4	9	12	9	0	0	5	12	0
25	7	10	10	0	9	7	6	5	16	8
26	7	16	10	8	9	15	0	6	1	4
27	8	2	10	16	10	2	6	6	0	
28	8	8	11	4	10	10	0	6	10	8
29	8	14	11	12	10	17	6	6	15	4
30	9	0	12	0	11	5	0	7	0	0
31	9	6	12	8	11	12	6	7	4	8
32	9	12	12	16	12	0	0	7	9	4
33	9	18	13	4	12	7	6	7	14	0
34	10	4	13	12	12	15	0	7	18	8

	CENTS.
One Dollar.....	100
One-half ditto	50
One-quarter ditto	25
One-eighth ditto	12½
One-sixteenth ditto.....	6¼

	CENTS.
One Crown	110
One-half ditto	55
One Pistareen	20
One-half ditto	10

TABLE OF THE VALUE AND WEIGHT OF COINS,
with their Federal and Sterling Value.

Names of Coins.	Standard Weight.		Federal Value.					Sterling Money of Gt. Britain.		
			Eagles.	Dollars.	Dimes.	Cents.	Mills.			
	dwt.	grs.						£.	s.	d.
An English Guinea	5	8	0	4	7	4	0	1	1	0
A French guinea	5	5	0	4	5	4	0	1	0	0
A Johannes	18	0	1	6	0	0	0	3	12	0
A Half Johannes	9	0	0	8	0	0	0	1	16	0
A Moidore	6	18	0	6	0	0	0	1	7	0
A Doubloon	17	8	1	4	5	6	0	3	6	0
A Spanish Pistole	4	6	0	3	5	8	0	0	16	0
A French Pistole	4	4	0	3	6	3	7	0	16	0
A French Crown	19	0	0	1	1	0	0	0	5	0
A Dollar of Spain	17	8	0	1	0	0	0	0	4	0
An English Shilling	3	18	0	0	2	2	2	0	1	0
A Pistareen	3	11	0	0	2	0	0	0	0	10 1/2
5 Franc pieces	16	2	0	0	9	8	3	0	4	2 1/2

All other Gold and Silver Coins, of equal Fineness, are valued by Weight.



REPORT OF THE SECRETARY OF THE TREASURY.

Mint of the United States, 22d December, 1821.

The Assayer's report is as follows:

No. 1. Made of equal parts of five French crowns, 10 oz. 19 dwts. fine, in 12 oz.

No. 2. Made of equal parts of five franc pieces, 10 oz. 16 dwts. fine, in 12 oz.

No. 3. Made of equal parts of five Spanish dollars, 10 oz. 16 dwts. fine, in 12 oz.

The following statement of the average results of the five last annual assays, including the present, may not, perhaps, be unacceptable; especially if Congress should think proper to legislate on the subject of foreign coins.

The gold coins of Great Britain and Portugal are constantly found to be of the same quality with those of the United States (those of Portugal, however, being rather bare) weigh 270 grs. it follows, that the value of these coins is one dollar for 27 grs. of 88.82 (say 88.89) cents per dwt.

The gold coins of France average 21 carats 2 5-12 grs. fine, in 24 carats, consequently, their value will be one dollar for 27.49 grs. or 87.29 cts. per dwt.

The gold coins of Spain average 20 carats, 3 1/2 grs. fine, in 24 carats, consequently, their value will be one dollar for 28.54 grs. or 84.09 cents. per dwt.

The standard quality of the silver coins of the United States, is 10 oz. 14 dwt. 4 5-13 grs. fine, in 12 oz. and the weight of the dollar 17 dwts. 8 grs. consequently, their value per oz. will be 115 5-13 cents.

The average quality of silver French crowns is 10 oz. 18 dwts. 13 grs. fine, in 12 oz. consequently their value will be 117.73 cts. per oz.

The average quality of silver five franc pieces of France is 10 oz. 16 dwts. fine, in 12 oz. consequently, their value will be 116.36 cts. per oz.

The average quality of Spanish dollars is 10 oz. 15 dwts. 18 grs. fine, in 12 oz. consequently, their value will be 116.23 cents per oz.

The above average values of foreign coins differ but little from those established by former acts of Congress; as will be seen by the following comparison.

By acts of Congress.

British and Portuguese gold coins, at 88.89 cts. per dwt.

French do. 87.27 do.

Spanish do. 84.21 do.

Cadiz, Andalusia, &c. is worth 25l. per cent. more than the new, current at Madrid, Bilbao, &c. This difference is owing to their king, Charles II., who, to prevent the exportation of money, raised it 25l. per cent., which, however, he was only able to effect in part, several provinces still retaining the ancient rate.

In Spanish America, the doubloon of \$16, and the $\frac{1}{2}$, $\frac{1}{4}$, $\frac{1}{8}$, and $\frac{1}{16}$ th, are the gold coins in use. The silver coins in use are the dollar, $\frac{1}{2}$, $\frac{1}{4}$, $\frac{1}{8}$, and $\frac{1}{16}$ th. Accounts are kept as in Spain. Vide Cadiz.

PORTUGAL.

Imaginary Money.

	£.	s.	d.
Crusada	0	0	10
Testoon	0	0	7 $\frac{1}{2}$
Vintim	0	0	0 $\frac{5}{8}$

Real Money.

GOLD.

Joanese	1	7	0
Moidore	1	1	0
Milrea	1	0	0

SILVER.

New Crusada	0	2	6
-------------------	---	---	---

COPPER.

Vintim	0	0	0 $\frac{1}{2}$
Rea, Rez, or Reis	0	0	0 $\frac{1}{4}$

TURKEY.

Imaginary Money.

Asper	0	0	0 $\frac{3}{4}$
Piastre	0	4	0

Real Money.

GOLD.

Xeriff	0	10	0
--------------	---	----	---

SILVER.

Caragrouch	0	5	0
Solota	0	1	0
Ostic	0	0	6
Bestic	0	0	3
Parea	0	0	1 $\frac{1}{2}$

COPPER.

Mangou	0	0	0 $\frac{3}{4}$
--------------	---	---	-----------------

ARABIA.

Imaginary Money.

Tomond	3	7	6
Piastre	0	4	6

Real Money.

SILVER.

Sequin	0	7	6
Dollar	0	4	6
Abyss	0	1	4 $\frac{1}{2}$
Larin	0	0	10 $\frac{1}{2}$

COPPER.

Comashee	0	0	0 $\frac{2}{10}$
Caveer	0	0	0 $\frac{1}{10}$
Carret	0	0	0 $\frac{1}{8}$

PERSIA.

Imaginary Money.

Tomond	3	6	8
--------------	---	---	---

Real Money.

GOLD.

Bovello	0	16	0
Or.	0	6	8

SILVER.

Abashee	0	1	4
Larin	0	0	10
Mamoda	0	0	8
Shashee	0	0	4

COPPER.

Bisti	0	0	1 $\frac{3}{5}$
Cos	0	0	0 $\frac{2}{5}$

EGYPT.

Imaginary Money.

Pargo Dollar	0	10	6
Piastre	0	4	0

Real Money.

GOLD.

Sultanin	0	10	0
----------------	---	----	---

SILVER.

Crown	0	5	0
Ecu	0	5	0
Dollar	0	4	6
Italian Ducat	0	3	4
Medin	0	0	1 $\frac{3}{5}$

COPPER.

Asper	0	0	0 $\frac{1}{5}$
-------------	---	---	-----------------

BARBARY.

Real Money.

GOLD.

Pistole	0	16	10 $\frac{1}{2}$
Chequin	0	8	4

SILVER.

Dollar	0	4	2
Chequin	0	3	4
Dollar	0	4	6
Double	0	1	1 $\frac{1}{2}$

	£.	s.	d.		£.	s.	d.
Rial (old plate)	0	0	6 $\frac{1}{2}$	<i>Real Money.</i>			
Medin	0	0	1 $\frac{1}{2}$	<i>SILVER.</i>			
<i>COPPER.</i>				English Crown	0	5	0
Asper	0	0	0 $\frac{1}{2}$	French Ecu	0	5	0
<i>MOROCCO.</i>				Dollar	0	4	6
<i>Real Money.</i>				Rix-dollar	0	4	4 $\frac{1}{2}$
<i>GOLD.</i>				Rupee	0	2	3
Pistole	0	16	8	Mace	0	0	8
Xequin	0	9	0	<i>COPPER.</i>			
<i>SILVER.</i>				Candareen	0	0	0 $\frac{1}{2}$
Dollar	0	4	8	<i>JAPAN.</i>			
Medjo	0	4	8	<i>Real Money.</i>			
Quarto	0	2	4	<i>GOLD.</i>			
Octavo	0	1	2	Cattee	65	19	6
Ounce	0	0	8	Dquble	12	11	4
Blanquil	0	0	2	Japanese	6	5	8
<i>COPPER.</i>				Ounce	3	2	10
Fluce	0	0	0 $\frac{1}{12}$	Ingot	0	9	8
<i>CHINA.</i>				<i>SILVER.</i>			
<i>Imaginary Money.</i>				Talc	0	6	8
Talc	0	6	8	Ounce	0	4	10
Caxa	0	0	0 $\frac{3}{16}$	Mace	0	0	4
				<i>COPPER.</i>			
				Piti	0	0	0 $\frac{1}{2}$

Bills on various parts of the world from the city of New-York are drawn at 60 days. This is the usual time. The following pages show the course of exchange with London.

ALICANTE, in SPAIN. Accounts are here kept in libras of 20 sueldos, and a sueldo of 20 dineros; also in reals of 24 dineros. The libra of Alicante is equal to the peso de plata, or dollar of exchange, or to 272 maravedies de vellon of Cadiz, and the exchange is the same as at that place.—See CADIZ hereafter.

AMSTERDAM. Accounts are kept in florins (gulden, or guilders,) stuivers, and pennigs; 20 stuivers are a florin, and 16 pennigs a stuiver. Payments are made either in banco or currency; the former is from 3 to 5 per cent. generally better than the latter, which difference is called *banco agio*.

One pound Flemish is equal to 20 schillings Flemish, or 6 Dutch florins. One florin is equal to 40 grotes Flemish: 12 grotes to one schilling Flemish, one stuiver to 2 grotes Flemish, and one rix-dollar to 8 $\frac{1}{2}$ schillings Flemish.

A gold florin, used in the sale of grain, is equal to 28 stuivers. Five gold florins = 7 florins: 3 florins equal 10 schillings Flemish: 25 schillings Flemish = 3 rix-dollars: 2 rix-dollars equal 5 florins.

The value of the guilder or florin at par is 40 cents, as formerly fixed by an act of Congress now repealed. Holland gives at par 2 $\frac{1}{2}$ florins for a dollar.

In EXCHANGE, Amsterdam gives, more or less,

To London, at 2 usances, 38 schillings Flemish (par 36 $\frac{1}{2}$) for £1 sterling.

To Hamburg, at sight, 35 stuivers banco for 2 marks Hamburg banco.

To Dantzick, at 40 days date, one pound Flemish for 415 groschen.

To Paris, at 2 usances, 45 pennigs Flemish for 3 francs.

COINS. *Of Gold*:—Ruyders and half ruyders of 14 and 7 florins currency; double and single ducats of 11 and 5 $\frac{1}{2}$ florins m. o. l. currency.

In Silver:—3, 2 $\frac{1}{2}$, 1 $\frac{1}{2}$, 1, $\frac{1}{2}$, and $\frac{1}{4}$ florins; schillings of 6 stuivers, and dollars of 50 stuivers currency.

In Copper:—Duyts of $\frac{1}{2}$ stuiver, or 2 pennigs.

Foreign Coins (variable):—English guineas at 12 florins and 2 stuivers, Louisd'ors at 11 florins and 3 stuivers; ducats at 5 florins and 10 stuivers, or piasters at 52 stuivers.

BARCELONA, in SPAIN. Accounts are here kept in libras of 20 sueldos, and suelde of 12 dineros Catalonia currency.

7 libras equal 5 pesos de plata, or dollars of exchange.
 525 ditto equal 274 ducados de cambio, or ducats of exchange.
 1 ditto equals $6\frac{2}{3}$ reals de catalonia or 10 reals de ardites.
 119 reals de catalonia equal 192 reals de vellon.
 119 reals de ardites equal 128 ditto.

The course of exchange is the same as at CADIZ, given hereafter.

BERGEN, in NORWAY. Accounts were formerly kept here in rix-dollars, Danish currency, but they have lately been kept in rix-bank dollars, of 6 marks, or 96 skillings. The Course of Exchange, &c. have been the same as at Copenhagen, stated hereafter.

BREMEN, in the kingdom of Hanover. Accounts are here kept in rix-dollars of 72 grotes; a grote equal to 5 schwaren.

In EXCHANGE, Bremen gives, more or less,
 To London, 600 rix-dollars for £100 sterling.
 To Hamburg, 140 ditto for 100 dollars Hambro' banco.
 To Amsterdam, 135 ditto for 100 dollars Amsterdam banco.
 To Paris, 18 grotes for one franc.

COINS of BREMEN.—In Gold: Ducats at $2\frac{1}{2}$ dollars.

In Silver: 1, $\frac{1}{2}$, and $\frac{1}{4}$ specie dollars, kopfstuik of 12 grotes 6, 3, 2, 1, and $\frac{1}{2}$, grote pieces.

In Copper: $2\frac{1}{2}$ and single schwaren pieces.

FOREIGN COINS.—In Gold: Ducats at $2\frac{1}{2}$ rix-dollars and Louisd'ors, &c. at 5 rix-dollars.

In Silver: $\frac{3}{4}$ pieces at 48 grotes with about 10 per cent. gain against currency.

CANADA, NOVA-SCOTIA, NEW-BRUNSWICK, &c. The accounts are here kept in the same mode as in England; but the currency differs 11 1-9 per cent. One pound being equivalent to 18s. sterling; or £100 sterling to £111 2 $\frac{2}{3}$ currency.

✓ **CADIZ, in SPAIN.** The accounts at Cadiz are kept in reals de plata, or silver reals, of 34 maravedies, or 16 cuartos = to 10 cents. At Madrid and Bilbao, in reals de vellon, or copper reals, or $8\frac{1}{2}$ cuartos = to 5 cents nearly.

1 dollar of exchange is equal to 15 reals 2 maravedies de vellon.
 1 real de vellon . . . = . . 34 maravedies de vellon.
 17 reals de plato . . . = . . 32 reals de vellon.
 317 ditto = . . 34 ducade de cambio.
 1 ducat de cambio, or of exchange = 375 maravedies.
 1 ditto of merchandise = . 374 ditto.
 1 ditto ditto = . . 11 reals.

In EXCHANGE, Cadiz gives, more or less,

To London, 1 piaster, or dollar of exchange, for 36 pence (par $39\frac{1}{2}$) sterling.
 To Hamburg, 1 ducat de cambio for 90 grotes Flemish (par 95.)
 To Amsterdam, 1 ditto for 95 ditto (par 104.)
 To Paris, 1 piaster of exchange for 73 sols (par 83.)

COINS.—In Gold: Quadrupel of 4 pistoles at . 320 reals de vellon.
 Double pistoles 160 ditto.
 Single ditto 80 ditto.
 Half ditto 40 ditto.
 Cornilla, or medio escude d'oro 20 ditto.

In Silver: Piasters, or pefo fuerto, of 10 reals and 10 cuartos de plata, or 20 copper reals.

In Copper: Double cuartos or ochavos of 8 maravedies de vellon, and cuartos of 4 and ochavos of 2 maravedies de vellon.

In Spanish America accounts are kept in rials de plata, and the same moneys are used.

At **CONSTANTINOPLE**, in Turkey, accounts are kept in piasters of 40 paras, or 100 good, and 120 current aspers.

The common bag, called chise, contains 500 piasters; a bag of gold called kitze 30,000 piasters, or 15,000 sequins, and by juck is understood the sum of 100,000 aspers.

In **EXCHANGE**, Constantinople gives, more or less,

To London	12 piasters for	£1 sterling.
To Amsterdam	40 paras for	1 florin currency.
To Leghorn	90 ditto for	1 dollar of 8 reals.
To Venice	198 ditto for	1 sequin, or zechine.

At **COPENHAGEN**, in **DENMARK**, the accounts were formerly kept in rix-dollars, Danish currency; but, since the establishment of the rix-bank, in the year 1813, they have been kept in rix-dollars, of 6 marks or 96 schillings. By the regulation then issued, all payments are required to be made in rix-bank money, either in silver coin or notes, so soon as a sufficient sum may be issued to pay off the old coin, or notes. Until then, specie money is to pass at the rate of one specie dollar silver coin, for two rix-bank dollars silver coin; or one specie dollar in notes for two rix-bank dollars, one half in silver coin, and the other half in notes, at the exchange between silver coin and notes, which is to be fixed and published by the bank twice a year, viz. the first of February and the first of August. Danish bank notes currency are to pass at the rate of 6 rix-dollars currency for one rix-bank dollar.

EXCHANGE. The Cologne mark of fine silver, which is equal to 3608 English grains, is coined into $18\frac{1}{2}$ rix-bank dollars; consequently, 2 rix-bank dollars are of the same value as one old specie dollar, $9\frac{1}{2}$ of which were coined from a mark of fine silver, and one rix-bank dollar is equal to 27 pence sterling. The par of exchange with Britain, therefore, is 8 rix-bank dollars and 80 skillings for £1 sterling.

The **SOUND DUTIES** are charged in specie, which nominally bears a fixed agio of $19\frac{1}{2}$ per cent. on specie rix-dollars, reduced to crowns, by 6 stivers to every specie rix-dollar, and 3 stivers for every crown dollar.

The accounts are kept in rix-dollars and stivers. Such articles as do not appear in the tariff, pay in *privileged* ships (or those of nations having a treaty of commerce with Denmark) one per cent. on the value of the cockpit, or other custom-house document, or original invoice; and, in *unprivileged* ships, one and a quarter per cent. When no authenticated value appears, the custom-house officers fix it according to their own judgment; and it is extremely difficult to obtain any deduction from their charges.

For **CUBA**, see **WEST-INDIES**, hereafter.

At **DANTZIC**, now in Prussia, accounts are kept in gulden or florins and groschen; each florin consisting of 30 groschen, and a groschen of 18 plennige.

One dollar Dantzic is equal to 3 florins, 90 groschen, or 270 schillings.

One Prussian dollar is 4 florins, 120 grosh, or 360 schillings of Dantzic.

Payments are made, 1st. in exchange money, in which the Dutch ducat is fixed at 12 florins Dantzic currency; 2d. in Dantzic currency, which is $33\frac{1}{2}$ per cent. less than Prussian currency, viz. 100 florins Prussian = $133\frac{1}{2}$ florins Dantzic.

In **EXCHANGE**, Dantzic gives, more or less,

To London, at 3 months date, 25 florins (par 30) for £1 sterling.

To Hamburg, at 3 and 6 weeks date, 180 groschen (par 182 $\frac{1}{2}$) for 3 marks banco.

To Amsterdam, at 40 and 60 days, date 410 ditto (par 415 $\frac{1}{2}$) for 1 pound Flemish.

DANTZIC COINS.—In **Gold**: Ducats at 12 florins, and 17 groschen m. o. l.

In **Silver**: Florins of 30 groschen, tympff of 18 gr. Sixers of 6 groschen, and duitgens of 3 groschen.

In **Copper**: Schillings of 6 pfennige.

FOREIGN COINS, VARIABLE. In **Gold**: English guineas at 25 florins and 13 groschen; Frederick's d'Or at 21 florins and 20 groschen; and Dutch ducats at 12 florins and 14 groschen.

In **Silver**: Old specie, or banco dollars, at 6 florins; albertus dollars at 5 florins and 24 groschen; and Russian rubles at 4 florins and 25 groschen.

At **DUBLIN**. Accounts are kept the same as in England, in pounds of 20 shillings, or 240 pence; but the value of Irish money is $8\frac{1}{2}$ per cent. less than sterling, viz. £100 sterling being equivalent to £108 6 8 Irish.

At EMDEN (Kingdom of Hanover) accounts are kept in rix-dollars, stuivers, and witten. 50 witten make a rix-dollar, and 10 witten a stuiver.

A specie dollar is equal to 4 marks, 12 schillings, 24 flinderke, 72 stuivers, or 96 groats.

A current dollar is equal to 3 marks, 9 schillings, 18 flinderke, 52 stuivers, or 72 groats.

A florin (or guelden) is equivalent to 20 stuivers.

3 specie dollars equal 4 current dollars.

10 current dollars equal 27 florins.

EXCHANGE. Emden draws either by way of Amsterdam or Hamburg; and pays, more or less,

To Amsterdam, 141 dollars current for 100 dollars Amsterdam banco.

To Hamburg, 152 dollars current for 100 of the same.

At GENOA, now in the SARDINIAN STATES, accounts are kept in lire of 20 soldi and a soldi of 12 denari.

The MONEYS are, 1st. Valuta di banco, in which the bank books are kept.

2d. Valuta fuori di banco, used in commerce in general.

3d. Valuta di permesso, in which the duties are paid, and is 15 per cent. better than valuta fuori di banco, which is also called moneta buona.

4th. Moneta abusiva, which is 4 per cent. less than moneta buona.

1 pezza (or dollar) = 20 soldi; a soldi 12 denari.

1 ditto = 5 lire banco, or 5 lire 15 soldi fuori di banco.

1 scudo d'oro (or gold crown) = 10 lire 14 soldi fuori di banco.

1 scudo d'argento (or silver crown) = 8 lire 14 4-5 soldi do.

20 ditto = 38 scudi di cambio, or crowns of exchange.

47 scudi d'argento = 38 scudi d'oro.

1 scudo d'oro marche = 8 lire 11 1-6 soldi di banco.

100 ditto = 122 2-5 scudi d'argento.

In EXCHANGE, Genoa gives, more or less,

To London . . . 1 piaster, of 115 soldi, for 47 pence sterling (par 46½.)

To Amsterdam . . . 1 ditto for 88 groats Flemish (par 89½.)

To Paris . . . 1 ditto for 475 centimes.

To Madrid . . . 1 scudo d'oro marca for 675 maravedies de plata.

To Lisbon . . . 1 piaster of 115 soldi for 750 reas.

To Leghorn . . . 117 soldi fuori di banco for 1 pezza da otto.

At HAMBURG, in GERMANY, accounts are kept in marks of 16 schillings; a schilling is equal to 12 pfennige banco.

Payments are made in four different ways, viz.

1st. In specie dollars of 3 marks, for which the bank allows on receiving 1 per mille; but, on repaying the same, is charged 1½ per mille, viz. for 1000 dollars on paying into the bank, the owner's account is credited 3003 marks, and on his withdrawing a like sum, debited 3004 marks and 14 schillings.

2d. In banco valuta, in which the bank books are kept.

3d. In currency, which is generally about 23 per cent. less than banco.

4th. In light money, consisting of louis d'ors of 5 dollars, or 15 marks; ducats of 2½ dollars, or 8½ marks; and specie dollars of 1½ dollar, or 4 marks; which money is afterwards compared with a certain loss against banco, or currency.

MONEYS of EXCHANGE.—1 rix dollar = 3 marks, or 48 schillings.

A mark banco = 2½ schillings, or 32 groats Flemish.

3 marks banco = 8 schillings, or 96 groats Flemish.

1 pound Flemish = 20 schillings Flemish.

1 schilling ditto = 12 groats Flemish, or 6 schillings of Lubeck.

1 ditto Lubeck = 2 groats Flemish, 4 dreylings, or 12 pfennige of Lubeck.

The exchange dollar, by which bills between Hamburg and Amsterdam are negotiated, is 2 marks, or 32 schillings of Lubeck, or 64 groats Flemish.

The value of the mark banco at par was fixed at 33½ by an act of Congress now repealed. Hamburg gives at par 3 marks banco for a dollar.

In EXCHANGE, Hamburg gives, more or less,

To London, 32 schillings Flemish (par 34½) for £1 sterling.

To Amsterdam, 1 rix-dollar, or 2 marks banco, for 34 stuivers Amsterdam banco, (par 36½.)

To Paris, 25 schillings Lubec, for 3 francs.

HAMBURG COINS.—*In Gold*: Double and single ducats.

In Silver: 1, ½, and ¼ specie dollars of 3, 1½, and ¾ marks; 2 and 1 mark pieces, 8, 4, and 2 schillings pieces, and schillings, sechslings and dreylings of 12, 6, and 3 pfennige.

FOREIGN COINS.—*In Gold*: Pistolen, or louis d'ors at 10 marks 13¼ schillings banco, or 13 7-16 marks currency, more or less. Dutch and German ducats at 6 marks fixed, with 4½ per cent. loss against banco, or at 7 marks 12 schillings currency.

In Silver: Old specie rix dollars at 3 marks, with about 1 per cent. gain against banco, or at about 3½ marks currency. Several kinds of new ½ and ¼ pieces, at 2 and 1 marks light money, with 33 per cent. loss against banco.

HAYTI, in St. Domingo. See **WEST INDIES**.

JAMAICA. See **WEST INDIES**.

KONIGSBERG, in **PRUSSIA**. Accounts are here kept in florins, (gulden, or guilders) of 30 groschen, and a groschen is equivalent to 16 pfennige.

3 Florins = 1 dollar of 90 groschen.

1 Florin = 8 gute groschen.

4 Gute Groschen = 15 groschen.

IN EXCHANGE, Konigsberg gives, more or less,

To London, 19 florins (par 19 3-5 for £1 sterling.)

To Hamburg, 134 groschen (par 136 5-6) for 3 marks banco.

To Amsterdam, 318 ditto (par 310 1-6) for 1 pound Flemish.

The usance on London is 3 months date. Days of grace, 3.

FOREIGN COINS (variable).—*In Gold*: New Dutch ducats at 9 florins and 21 groschen, louis d'ors at 16 florins and 10 to 20 groschen.

In Silver: Albertus dollars at 4 florins and 15 groschen. Silver rubles, old, at 3 florins, and 18 to 24 groschen; new, at 3 florins, and 8 groschen.

LEEWARD ISLANDS.—See **WEST INDIES**.

At **LEGHORN** (Livorno) in **TUSCANY**, accounts are kept in pezze of 20 soldi, the latter being equal to 12 denari. Payments are made either in moneta lunga, or moneta buona. The latter is 4 8-23 per cent. of greater value than the former; whence 23 pieces of moneta buona make 24 pieces moneta lunga.

The comparative statement is as follows:

1 pezza da otto (8) reali, equal	6 lire moneta lunga.
1 ditto	= 5 lire 15 soldi moneta buona.
23 lire moneta buona . . .	= 24 lire moneta lunga.
1 ducato	= 7 lire moneta buona.
1 pezza	= 7 paoli at 8 crazie.
1 scudo d'oro (gold crown)	= 7½ lire moneta lunga.

IN EXCHANGE, Leghorn gives, more or less,

To London . . 1 pezza da 8 reali, for 54 pence sterling (par 47½.)

To Amsterdam . 1 ditto for 90 groats Flemish (par 91.)

To Hamburg . 1 ditto for 80 ditto (par 82.)

To Paris . . . 1 ditto for 500 centimes.

To Lisbon . . . 1 ditto for 320 reas.

To Madrid . . 100 ditto for 145 dollars (piasters) of exchange.

LIBAU, in **LEVONIA**. Accounts are kept here in albertus dollars of 90 groschen. One albertus dollar is equal to 3 florins; one florin is equal to 30 groschen; one groschen is equal to 6 pfennige.

In **EXCHANGE**, Libau gives, more or less,

To London, at 3 months date, 365 groschen (par 372) for £1 sterling.

To Hamburg, at 6 weeks date, 101 albertus dollars (par 104½) for 100 dollars Hamburg banco.

At **LISBON, OPORTO**, and other parts of **PORTUGAL**, accounts are kept in reas.

The milrea is 2 1-12 cruzados novos, 2½ cruzados velhos, 10 tostoens, 25 reais, 50 vintems, or 1000 reas. See Table of Moneys, page 56.

The reas are separated from the milreas by a crossed cypher; and the milreas from the million of reas by one or two dots.

Bills are negotiated by the milrea, or 1000 reas.

One toston is equal to 100 reas; one real to 40 reas; one vintem to 20 reas.

In **EXCHANGE**, Lisbon gives, more or less,

To London, at 30 days sight, 1000 reas for 65 pence sterling (par 59 1-6.)

To Paris, at 60 days date, 486 do. (par 486) for 3 francs.

To Leghorn, at 790 do. (par 800½) for 1 pezza de 8 reali.

To Hamburg, 1 crusade of exchange for 43 groats Flemish.

PORTUGUESE COINS.—Coins issued before 1722.

Dabraons originally at 20,000 reas raised to 24,000 reas.

Lisboninen 4,000 4,800 do.

Milreas 1,000 1,200 do.

Crusados 400 480 do.

Coins issued since 1722.

In **Gold**: Dabraons of 12,800 reas, and crusados velhos of 400 reas.

In **Silver**: Crusados novo of 480 reas; pieces of 6 ventimes, or 120 reas, testones of 5 ventimes, or 100 reas, and 60 and 50 reas pieces.

In **Copper**: Pieces of 10, 5, 3, and 1½ reas. Foreign coins are taken according to their intrinsic value.

LONDON.

In **EXCHANGE**, London receives at par \$4.4444 for a pound sterling.

London gives or receives, more or less, from or to Amsterdam, at 2 and 2½ usances, 34 schillings Flemish (par 36½) for £1 sterling.

Hamburg, at 1, 2, and 2½ usances, 32 schillings Flemish (par 34 1-6) for £1 sterling.

Paris, at 2, and 2, usances, 20 francs (par 25) for £1 sterling.

Cadiz, at 90 days date, 38 pence (par 39½) for 1 peso de plata.

Lisbon, at 30 days sight, 65 pence for 1 milrea.

Leghorn, at 3 months date, 49 pence for 1 pezza del regno.

Naples, 40 pence for 1 ducat del regno.

Genoa, at 3 months date, 47 pence for 1 pezza de 5½ lire fuori di banco.

Venice, 52 lire piccoli (par 49½) for £1 sterling.

At **LUBECK**, in **GERMANY**, accounts are kept in marks of 16 schillings: a schilling of 12 pfennige currency.

One rix-dollar is equal to 3 marks, 48 schillings, or 576 pfennige.

The other moneys and the course of exchange, in general, are the same as at Hamburg. The agio varies from 20 to 24 per cent. between banco and current.

The merchants constantly draw on Hamburg at 3 days date in banco money, receiving from one-eighth to a quarter agio; and they draw on other places in the same manner, at two months.

At **MALAGA**, in **SPAIN**, accounts are kept in reals of 34 maravedies de vellon. 32 reals de vellon equal 17 reals de plata.

The **EXCHANGE** is the same as at Cadiz.

MARSEILLES, in **FRANCE**. Accounts are here kept in livres of 20 sols of 12 deniers each, or in francs of 10 decimes or 100 centimes. See Table of Moneys, page 51.

MAJORCA, island of, Spanish. Accounts are here kept in libras of 20 sueldos, or 240 dineros, as at Barcelona. See **BARCELONA**.

MARTINIQUE, island of. See **WEST INDIES**.

MEMEL, in Prussia. Accounts, &c. as at Königsberg, page 61. To Königsberg all bills are sent to be negotiated; and on that place, for payment, they give assignments at 3 days sight. For all timber shipped there is a *fixed* rate of exchange of 18 guilders per pound sterling, but for this article only. This has been settled by the merchants, to prevent disputes with masters or other agents who may purchase cargoes.

MESSINA, in Sicily. See **PALERMO**, hereafter.

NAPLES. At Naples accounts are kept in ducati del regno of 10 carlini, or 100 grani.

In **EXCHANGE**, Naples gives, more or less,

To London, one ducati del regno for 47 pence sterling (par 41½.)

To Leghorn, 116½ ducati del regno (par 114½) for 100 pezze da 8 reali.

To Genoa, 1 ditto for 106 soldi fuori di banco (par 101½.)

To Amsterdam, 51½ grani (par 50½) for one florin currency.

To Hamburg, 44½ ditto (par 44½) for 1 mark banco.

COINS.—In **Gold**: Doppien of 46 carlini, Sicilian oncies at 30 carlini.

In **Silver**: 1½ ducati del regno of 10 and 5 carlini, 1½ Sicilian scudi at 12 and 6 carlini, tari pieces of 2 carlini, and pieces of 26 and 13 grani.

OPORTO, in Portugal. See **LISBON**, page 62.

At **PALERMO**, in **SICILY**, accounts are kept in oncies of 30 tari, or 60 carlini.

One oncia equals 2½ scudi, equal 5 fiorini, or 30 tari.

One taro equals 15 ponti, or 20 grani (grains.)

One Lisbon crusade de cambio equals 12 carlini.

In **EXCHANGE**, Palermo gives, more or less,

To London . . . 58 tari for £1 sterling.

To Amsterdam . . . 105 grani — 1 florin currency.

To Leghorn . . . 11½ tari — 1 pezza da 8 reali.

To Paris 46 grani — 3 francs.

At **PARIS**, accounts are kept in francs of 10 decimes, or 100 centimes, as shown in the Table of Moneys, page 52.

The value of the franc is 18¾ cents by a law of the United States. France gives at par 5 francs 28 centimes for a dollar.

In **EXCHANGE**, Paris gives, more or less,

To London, 24 francs for £1 sterling.

To Hamburg, 187 ecus of 3 francs for 100 dollars banco.

To Amsterdam, 1 ditto, or 3 francs for 54 groats Flemish.

At **St. PETERSBURG**, accounts are kept in rubles of 10 grivners or 100 copecks.

In **EXCHANGE**, Petersburg gives and receives, more or less,

To and from London, at 3 months date, 1 ruble for 30 pence (par 39.)

Amsterdam, at 65 days date, 1 ruble for 20 stuivers banco (par 37½.)

Hamburg, at 65 days date, 1 ruble for 28 schillings banco (par 34.)

The Julian calendar is still used in Russia, and therefore 12 days must be added to their style.

COINS.—In **Gold**: Imperials of 10 rubles, and half-imperials of 5 rubles.

In **Silver**: Rubles of 100 copecks, half-rubles of 50, and quarter-rubles of 25 copecks, and 20, 15, and 10 copeck pieces.

In **Copper**: 10, 5, 2, 1, ½, and ¼ copeck pieces.

The current foreign coins are Dutch and other ducats; but they vary in value. Dutch rix or albertus dollars are generally valued by the weight; 14 should weigh a pound of Russia.

Paper money consists of bank assignations of 100, 50, and 25 rubles on white paper, 10 rubles on red, and 5 rubles on blue paper; which, if desired, are immediately paid at the different banks in copper.

At RIGA, in RUSSIA, accounts are kept in rix-dollars of 90 groschen, and in florins of 30 groschen. Payments are made in albertus dollars and the currency of Riga, or ferdings money. The latter is legally $33\frac{1}{3}$ per cent. less than albertus; but, in commercial transactions, the difference frequently amounts to 42 per cent.

1 Albertus dollar is equal to $1\frac{1}{2}$ dollars currency.

1 ——— ditto = 15 mark rigaish, or 40 mark ferdings.

1 Mark rigaish = $2\frac{1}{2}$ mark ferdings.

1 Mark ferding = 2 ferdings, $2\frac{1}{2}$ groschen albertus, or 3 groschen currency.

1 Florin . . . = 5 mark rigaish, or $13\frac{1}{3}$ mark ferdings.

1 Florin . . . = 30 groschen albertus, or 40 groschen currency.

In EXCHANGE, Riga gives, more or less,

To London, 376 groschen albertus (par 406) for £1 sterling.

To Hamburg, 100 dollars do. (par 104 $\frac{1}{2}$) for 100 dollars banco.

To Amsterdam, 100 do. for 106 dollars Dutch currency (par 101 9-10.)

COINS, &c.—Ducats at variable exchanges from 2 rix dollars 8 to 20 groschen albertus. Silver rubles of 129 copecks to a ruble. Russian bank notes, more or less, from 175 to 180 copecks per albertus dollar.

At ROSTOCK, in MECKLENBURG, accounts are kept in rix-dollars of 48 schillings; a schilling of 12 pfennige.

In EXCHANGE, Rostock draws by way of Hamburg, and gives 130 rix-dollars, Mecklenburg currency, more or less, for 100 rix-dollars Hamburg banco. The par is 23 1-13 per cent.

SPANISH AMERICA. Vide Cadiz.

STETTIN, in PRUSSIA. Accounts are here kept in rix-dollars of 24 gute groschen; a gute groschen is of 12 pfennige.

In EXCHANGE, Stettin gives, more or less,

To London, at 2 months date, 6 2-5 rix-dollars for £1 sterling.

To Hamburg, 152 rix-dollars for 300 marks banco.

To Amsterdam, 144 do. for 100 dollars currency.

At Stettin there are several coins current, not used for mercantile accounts; as grosch, shillings, sixpences, dryers, and one-penny pieces, which generally bear a discount of $1\frac{1}{2}$ to $1\frac{3}{4}$ per cent. compared with the grob current.

Bills of Exchange are drawn and received in the above current money, and the course upon London is at 2 months date, so many rix-dollars and gute grosch for the pound sterling: the average as above, about 6 2-5 dollars for the pound.

At STOCKHOLM, in SWEDEN, accounts are kept in rix-dollars specie, which are divided into 48 skillings, and a skilling into 12 rundstuecke. Payments are either made in specie or currency; there is a specie rix-dollar and a current rix-dollar, between which there is a difference of 50 per cent. the latter being always 50 per cent. less than the former.

In EXCHANGE, Stockholm gives, more or less,

To London, 5 to 7 rix-dollars specie, and above (par 4 dollars 21 skillings) for £1 sterling.

To Hamburg, 47 skillings specie (par 47 $\frac{1}{2}$ for one dollar banco.)

COINS.—In Gold: Swedish and Dutch ducats, which are fixed at 1 rix-dollar and 46 skillings specie, or 11 dollars and 24 oert silver coin, or 35 dollars 8 oert copper coin.

In Silver: Specie dollars of 6 dollars silver coin, or 12 dollars copper coin; $\frac{1}{2}$, $\frac{1}{4}$, &c. do. in proportion.

In Copper : The silver coin is 3 times the value of copper coin, of which are current double slanten, at 2 oert silver, or 6 oert copper money ; single do. called stuivers, or witten at 1 oert silver, or 3 oert copper coin, and rundstuecke of 1 oert copper coin.

In Paper there are small bank-notes, as low as 12 skillings each.

At STRALSUND, now annexed to PRUSSIA, accounts are kept in rix-dollars of 48 schillings : a schilling of 12 pennige.

In EXCHANGE, Stralsund gives, more or less,

To Amsterdam, at 65 days date, 132 dollars (par 127 9-16) for 100 dollars banco.

To Hamburg, at 65 days date, 133 dollars (par 134 2-5) for 100 dollars Hamburg banco.

To Stockholm at 1 month's sight, 132 dollars (par 136 1-12) for 100 dollars specie.

Through each of these places Stralsund negotiates bills on England.

At TRIESTE, in the AUSTRIAN STATES, accounts are kept in florins (gilden) of 60 kreutzers of 4 pennige each.

A specie dollar is equal to 2 florins, or 120 kreutzers.

A rix-dollar . . . = . 1½ do. or 90 do.

1 florin = . 5 lire, 60 kreutzers, or 100 soldi.

1 lira = . 12 kreutzers, or 20 soldi.

In EXCHANGE, Trieste gives, more or less,

To London, 13 florins, (par 9 florins 37 kreutzers) for £1 sterling.

To Amsterdam, 186 rix-dollars (par 137 7-10) for 100 dollars banco.

To Hamburg, 196 do. (par 144 4-5) for 300 marks banco.

To Paris, 30 kreutzers for 1 franc.

At VENICE, now in the AUSTRIAN STATES, accounts are kept in lire of 20 soldi, a soldi of 12 denari piccoli. Payments are either made in banco, or in moneta piccoli correnti. The former is about 54 5-8 per cent. better than the latter, or 31 ducati, or lire banco = 48 ducati, or lire piccoli.

In EXCHANGE, Venice gives, more or less,

To London, 52 lire piccoli (par 49½) for £1 sterling.

To Hamburg, 72 soldi for 1 mark banco.

To Amsterdam, 82 do. for 1 florin currency.

WEST INDIES; viz. Cuba and Porto Rico, St. Domingo, Jamaica, the Virgin Islands, Windward Islands, &c.

CUBA and PORTO-RICO. At these islands, appertaining to Spain, accounts are kept in pesos of 8 reals or 34 maravedies. The peso, or dollar, being considered as equal to about 4s. 3½d. sterling.

At St. DOMINGO, in general, accounts are kept in dollars of 10 dimes or 100 centimes ; and the dollar is here valued at 4s. 6d. sterling.

Spanish doubloons pass for 16 dollars ; half-joannes, or joas, for 8 dollars ; French crowns for a dollar and 9 centimes.

At JAMAICA accounts are kept in pounds of 20 shillings, or 240 pence currency. The exchange with England is fixed at 40 per cent., and, according to this, £5 sterling are equal to £7 Jamaica currency ; but the English guinea passes here for £1 12s. 6d.—at which rate £100 sterling are equivalent to £154 15s. 2 6-7d. of the above currency, being £14 15s. 2 6-7d. above the rate fixed by government. This regulation is not, however, strictly observed, as the exchange is generally from 12 to 18 per cent. above the legal par, viz. £152 to £158 Jamaica currency being paid for £100 sterling.

The following are the GOLD COINS which circulate at JAMAICA, with their legal Weight and Value :

		Dwt.	Gr.	Currency.
Portuguese	Joannes, or Joe	18	12	£5 10 0
	Half-Joannes, or Joe	9	6	2 15 0
	Quarter do.	4	15	1 7 6
	Moidore	6	22	2 0 0
	Half do.	3	11	1 0 0
Spanish	Doubloons	17	18	5 0 0
	Double Pistole	8	16	2 10 0
	Pistole	4	8	1 5 0
	Half do.	2	4	0 12 6
English	Guineas	5	8	1 12 6
	Half do.	2	16	0 16 3
	Seven-Shilling Piece	1	19	0 10 10

If gold coin be lighter than the weight expressed above, 3 pence are deducted for every grain deficient.

Of **SILVER COINS**, the Spanish dollar passes for 6s. 8d. and the half-dollar, &c. in proportion.

The doubloon weighs 17 dwt. 8 grains, and passes for \$16.

VIRGIN ISLANDS. In the Danish Islands of St. THOMAS, St. JOHN, and St. CROIX or SANTA CRUZ, accounts are kept in rix-dollars (also called piast-ers or pieces of eight) of 8 shillings, or bits, or 48 stuivers; likewise in dollars of 10 dāmes, or 100 centimes; but in negotiating bills with England, the Windward Island currency is adopted.

BRITISH WINDWARD ISLANDS, improperly called **LEEWARD ISLANDS**; viz. Barbuda, St. Christopher's, or St. Kitt's, Nevis, Antigua, Montserrat, Dominica, St. Lucia, St. Vincent, Grenada, Tobago, and Trinidad.

Accounts are here kept in pounds, shillings, and pence. The English guinea passes for 45s. the par, therefore, between the currency of these islands and sterling is 114 2-7 per cent. or £100 sterling are equal to £214 5s. 8 4-7d. currency.

The Portuguese half-joannes, or half-joe, passes here for £3 6s. 0d.—the Spanish doubloon for £7 4s. 0d.—and the Spanish dollar for 9s. currency. All gold passes for 9s. per dwt. At Grenada the doubloon passes for \$16, frequently at a premium of 10 per cent.

At **BARBADOES**, accounts are kept as at Jamaica; but the currency is different. An English guinea passes here legally for £1 10s. 0d.—the Portuguese joannes for £5—the doubloon for \$16, or £4 10s. 0d.—and the moidore for £1 17s. 6d.—and all these coins must have the same weight as at Jamaica. The Spanish dollar is current at 6s. 3d. Mutilated coins are out of circulation in the British islands, except at Grenada, where half-joannes plugged up to 7½ dwts. pass for \$7 83.

At the **DUTCH SETTLEMENTS** of **SURRINAM**, **BERBICE**, **DEMERARY**, and **ESSEQUEBO**, accounts are kept in florins of 20 stuivers or 240 pfennige. 17½ florins are estimated as equal to £1 sterling.

The doubloon passes in many of the Spanish settlements at \$17, but this is by a regulation of the merchants; consequently, it is only temporary.

A DOLLAR OF THE UNITED STATES = 100 CENTS : and is worth,

In **ENGLAND**, sterling money, 4s. 6d.

FRANCE, 5 francs 28 centimes.

SPAIN. Madrid, Cadiz, Seville, 10 rials, or 340 maravedies.

Barcelona, Saragossa, &c. 16 soldos, or 256 maravedies.

Malaga, Gibraltar, Denia, &c. 16½ rials, or 640 maravedies.

PORTUGAL, 8 testoons, or 40 vintins.

DENMARK and **NORWAY**, 6 marcs or 96 skillings.

SWEDEN and **FINLAND**, 104 1-7 copper marcs, or 833 1-7 Runstics.

LIVONIA, 116 $\frac{1}{2}$ groshen.
 PRUSSIA and POLAND, 115 5-6 groshen.
 RUSSIA, 100 copecs.
 HOLLAND, 2 $\frac{1}{2}$ florins, or 50 stivers.
 ITALY. Genoa, Corsica, &c. 125 soldi.
 Sardinia, 6 florins 72 soldi.
 Leghorn, Florence, &c. 129 3-5 soldi.
 Naples, Capua, &c. 135 grana.
 Palermo, Messina, Malta, &c. 351 grains.
 Bologna, Ravenna, Venice, &c. 3 testoons, or 9 jullos.
 GERMANY. Hamburg, Bremen, Lubec, &c. 3 marcs, or 48 skellings.
 TURKEY. Constantinople, Smyrna, Cyprus, &c. 90 aspers.
 ARABIA. Mecca, Medina, Mocha, &c. 80 caveers.
 INDIA. Calcutta, Calicut, &c. 28 1-10 anas.
 Madras, Pondicherry, Coromandel Coast, &c. 16 fanams.
 Bombay, Malabar Coast, 2 rupees, or 8 quarters.
 Siam, Java, Pegu, Malacca, 900 fetees.
 CHINA, 2 rupees.
 EGYPT, 30 medins, or 90 aspers.
 BARBARY, 4 doubles, or 8 rials, or 80 aspers.

The following is a statement of the number of days grace allowed in the chief commercial cities of Europe, alphabetically arranged.

Amsterdam	6	Liverpool	3
Antwerp	6	London	3
Bremen	8	Madrid	14
Cadiz	6	Milan	0
Cologne	6	Naples	3
Copenhagen	8	Paris	10
Dantzick	10	Petersburg	10
Dublin	3	Rome	0
Edinburg	3	Rotterdam	6
Geneva	5	Sicily	0
Genoa	30	Stockholm	6
Gibraltar	14	Trieste	3
Hamburg	12	Turin	6
Leghorn	0	Venice	6
Leipsic	0	Vienna	3
Lisbon	6		

Ordinary Usance at such of the foregoing places as present any uniform rule of practice.

AMSTERDAM. From England and France,	1 month after date.
Italy, Spain, and Portugal,	2 do.
Dantzic and Konigsberg,	1 to 2 do.
Germany and Switzerland,	14 days after sight.
ANTWERP. From ditto,	ditto.
BREMEN. From London,	1 month after date.
Germany,	15 days after sight.
CADIZ. From England and France,	60 days after date.
Amsterdam,	2 months ditto.
West-Indies and Spanish America,	at sight.
COLOGNE. From ditto,	14 days after sight.
COPENHAGEN,	Uncertain.
DANTZIC,	14 days after sight.
GENEVA. From France, England, and Holland,	30 days after date.
Italy and Germany,	15 days after sight.
GENOA. From London and Lisbon,	3 months after date.
Amsterdam, Hamburg, and Spain,	2 months ditto.
Leghorn and Milan	3 days after sight.
GIBRALTAR.	
HAMBURG. From England and France,	1 month after date
Italy, Spain and Portugal,	2 months ditto.
Germany,	14 days after sight.

LEGHORN.	From London and Lisbon,	3 months after date.
	Hamburg and Holland,	2 months ditto.
	France,	30 days ditto.
	Italy and Switzerland,	8 days after sight.
LEIPSIK.		14 days ditto.
LISBON.	From London,	30 days ditto.
	France,	60 days after date.
LIVERPOOL,	} From the United States, 60 days; West Indies, 3 months.	
LONDON,		
MADRID.		
MILAN.		
NAPLES.	From London,	3 months after date.
NEW-YORK.	From West Indies and Spanish America,	60 days after sight.
	On Havana,	15 and 25 days after sight.
PARIS.		30 days ditto.
PETERSBURG.		
RIGA.	On London,	3 months after date.
	Hamburg and Amsterdam,	36 and 65 days.
ROME.		
ROTTERDAM.	See Amsterdam.	
SICILY.	From London,	3 months after date.
STOCKHOLM.	On Sweden,	1 month after sight.
	From thence on London,	from 75 to 90 days after date.
TRIESTE,		14 days.
TURIN.	From London,	3 months after date.
	Amsterdam,	2 months ditto.
	France,	1 month ditto.
VENICE.	On and from London.	3 months ditto.
	Amsterdam and Hamburg,	2 months ditto.
	France and Spain,	ditto.
VIENNA.	On and from England,	3 months after date.

CHAPTER IV.

Of Bills of Exchange.

Of Foreign Bills.

A Bill of Exchange is a piece of paper, on which is written a short order, given by a banker, &c. for paying to such a person, or his order, a certain sum of money, at an appointed time.

In order to understand this subject, it will be necessary to explain the terms used in bills of exchange.

The *drawer* is the person who draws the bill of exchange.

The *drawee* is the person upon whom it is drawn; and he is so called *before* he accepts the same; but after he has accepted, he is then called the *acceptor*.

An *endorser*.—Every person, before he can pay away, or pass, a bill of exchange, must, if it be made payable to his order, write his name on the back of the bill; and he is therefore called an *endorser*.

An *endorsee* is any person who is in possession of a bill of exchange, in consequence of its having been endorsed to him.

The *payee* is the person in whose favour a bill is drawn; as, if A. draws upon B., directing him "*to pay to C. or order*," C. is called the *payee*; and, before C. can pass away the same, he must *endorse* it.

If the drawee refuse to accept or pay the bill, the payee must cause it to be protested.

A protest signifies to the drawer, that the party upon whom he drew his bill was unwilling, not to be found, or insolvent; and to let him (the drawer) have timely notice

thereof; and also to enable the party to recover against the drawer; and also against the acceptor, as far as he can pay, if the bill be accepted.

A foreign bill must be protested on the last day of the three days of grace allowed (after the time expressed upon the bill) and if not paid upon the last of the three days, the party ought immediately to protest the bill and return it; but, if the last of the three days be a great holiday, the day before is the day of payment.

Bills of exchange must be sued for within six years after their becoming due.

If two or three bills are drawn for the same sum, they shall carry a condition with them that only one should be paid; and, in a declaration on one of them, it is not necessary to aver that the other bills were not paid.

Of Inland Bills.

Inland bills of exchange are those drawn by one banker, merchant, or tradesman, residing in one part of the United States, on another residing in any place in the said United States.

The possessor should present it for acceptance as soon as it comes to his hands, though the time expressed be not expired; for by acceptance his security is increased.

Acceptance is made by the drawee, or his partner or clerk, in writing, upon the bill.

If the bill is not paid within three days after the time expressed thereon be elapsed, it must be protested; which protest, or notice thereof, shall be sent within fourteen days to the drawer. Protests to be made by a notary public, or by any other substantial person of the city, town, or place, in the presence of two or more credible witnesses; refusal or neglect being first made of due payment of the same; which protest shall be made, and written under a fair copy of the said bill of exchange, in the words or form following:

Know all men, that I, A. B., on the day of , at the usual place of abode of the said , have demanded the payment of the bill of which this is a copy, which the said did not pay: whereof I, the said , do hereby protest the said bill. Dated at , this day of .

If the Bill be not accepted, the drawer shall not be liable to damages and interest, unless protest or notice of such non-acceptance be sent to the drawer in fourteen days.

A person accepting of a bill in satisfaction of a debt, must get it protested, if not paid in course, or lose such debt.

From want of protest, the party cannot recover interest and cost upon an inland bill against the drawer.

If A. sells goods to B., and B. is to give a bill in satisfaction, B. is so far discharged that he cannot be sued for the goods, though the bill be never paid; for, the bill is payment: but he is liable to be sued for the bill.

A note or bill is no absolute payment, though agreed to be such, if the giver of it knows the persons upon whom it is drawn to be in a failing condition.

Of what shall be deemed a Bill of Exchange.

The custom prescribes the form of a bill, and raises a contract.

It is not requisite to observe the same nicety in a bill of exchange as in deeds and wills.

A bill, payable out of a particular fund, is no bill of exchange.

Pray pay out of my growing subsistence—is no bill of exchange.

A bill, payable out of the fifth payment, as it shall become due, is not good.

Pray pay J. S. or order, at my quarterly half-pay per advance, is a negotiable bill.

Bill, without the words *value received*, is no bill of exchange.

Bill, payable to *me*, or my order, is a good bill, if accepted.

Of the Acceptance.

The acceptance of a bill of exchange is such an act, by the drawee, as will make him liable to pay the same. It is usually made by signing his name or initials at the bottom of the bill, when it is presented to him by the bearer.

A very small matter will amount to an acceptance; and any words will be sufficient for that purpose, which show the party's assent or agreement to the bill.

Verbal acceptance is sufficient; and an action lies against the acceptor thereon, as to the principal, but not for interest and costs. But there must be a witness. These words, "The two bills of exchange which you sent me, I will pay, in case the owners of the Queen Anne do not," are a sufficient acceptance.

Acceptance, to pay when the goods are sold, is a good acceptance.

Acceptance, to pay half in money, half in bills, is good.

Acceptance, to pay, according to the tenour of the bill, after the day of payment is past, is good.

A bill may be accepted for part, and the sum accepted for is good against the acceptor.

Acceptance of a bill, drawn upon two partners, by one of them, binds both; if it concerns the joint trade.

Acceptance of a servant, usually transacting business for his master, is good; yet the servant should express such acceptance to be for his master, or he is liable himself.

Of the Protest.

If, before a bill be accepted, and even before it be due, it shall be endorsed to any person, the said endorsee may, immediately after the drawee has refused to accept it, bring an action against the endorser.

A protest is absolutely necessary on a foreign bill, where it is refused acceptance or payment, in order to charge the drawer.

The payee must demand acceptance from the drawee before protest.

If a payee dies, there can be no protest before probate or administration.

If a bill, left for acceptance, be lost, the drawee must give a note for the payment thereof; otherwise it may be protested.

If a bill be lost, and no new one can be had, and the drawee does not insist on having the original, but refuses payment on another account, a protest made on a copy is sufficient.

A protest on a foreign bill is necessary to recover, against the drawer, not only interest and costs, but also principal; and such protest must be made in due time, and timely notice given to the drawer. What is a *timely* notice must be determined by the customs of the merchants. Convenient notice must be given to the drawer of an inland bill; which notice, as to time, must also rest upon the custom and verdict of a jury.

But, in case of non-payment of either foreign or inland bills, the safest way is to give as early notice to the person of whom it was received, as possible; that is, by the first post; or, rather, to send the bill to a correspondent, to tender it to the drawer or endorser. Where they refuse to accept the bill, it may be protested, before the day of payment, for better security, but not for non-payment. Notice should be given immediately on non-acceptance or non-payment, otherwise you may lose the security of the drawer.

Of Endorsements.

Every man who writes his name upon the back of a bill, becomes bound to the next holder for the amount thereof. It matters not whether he has received any value for the bill, or does it to serve a friend. The endorsement of his name implies him to have received the value of the bill, and the law will compel him to be answerable for the same to the holder thereof.

Of who shall pay the Money.

Every drawer, endorser, and acceptor, of a bill of exchange, is separately liable to the payment thereof.

On non-payment, the payee (the person to whom it is to be paid) may sue the acceptor and drawer; but he can have but one satisfaction: that is, he can only recover from them jointly the amount of the bill in his hands.

He who accepts for the honour of the drawer, is liable to the payment, although he may have no effects. The acceptance is an undertaking for the payment, and the law will oblige him.

If a bill be endorsed to the drawer of it, he may maintain an action, as the endorsee, against the drawee, if the latter had effects of the drawer at the time of drawing the bill; otherwise not.

The holder of a bill must tender it before the three days grace are expired.

If the endorsee indulges the acceptor after the bill is due in course of payment, it is at his own risk; and, if the acceptor fails, he has no remedy against the drawer, or person who paid him the bill.

The last endorser of the bill of exchange may maintain an action against any of the former endorsees, and so any endorser may against all that precede him.

An endorser of a bill, who has paid it, must prove payment in an action against the acceptor.

The endorser of a foreign bill of exchange may be charged, without first resorting to the drawer.

If the endorsee receive a sum, in part, of the acceptor, he has no remedy against the drawer or endorser for the remainder, but against the acceptor only.

A man cannot be sued in England, Scotland, or Ireland, on his acceptance of any bill of exchange abroad, after he has been discharged by the laws of that country.

It is not necessary to prove the hand of the drawer in an action against the acceptor, nor can the acceptor set up the forgery of the bill.

The assignee of the endorsee may sue, on a general endorsement, to the latter only.

The winner shall not recover, on a bill of exchange, for money won at play, against the acceptor, otherwise than in case of an endorsee.

If A. draws a bill payable to B. for the use of C., and B. endorses it to D.—D. may bring an action for the money.

If a bill be assigned for a just debt, equity will not relieve, though the bill was at first given without consideration.

Bill upon B., payable to C., is accepted by B., and endorsed by C. to D. Then B. is discharged of any payment as to C.

The Drawer of Bills

Should be well satisfied that they will be accepted and duly honoured before he draws : to this end, it is requisite that he be assured of having effects in the hands of the person drawn upon ; and also that he be a man of integrity and punctuality, who will not dishonour his paper, but pay it regularly as it is due ; otherwise he may be subjected to heavy damages.

The Acceptor

Should be careful to accept no bill but what he has effects in his hands to answer.

To insist upon his correspondent advising of each bill so soon as drawn, specifying the number, date, sum, time, and to whom payable ; for, if he should accept or pay a forged draft, the loss will fall on himself.

To adjust and balance all accounts of this nature at least once in three months, and oftener if the drafts are large and continual.

The Bill-Holder

Should exchange no drafts for a stranger, when he is not convinced of the validity thereof from the *writing* of the drawer or acceptor ; if he be not satisfied on this head, he may offer to send the bill to one of the parties, and, when in cash, that he will account with him for the value.

See that the bill be drawn properly ; and make the person paying the bill to you, endorse his name on the back. Take a regular copy of the particulars of the bill in a book.

If the bill be not already accepted, present it for acceptance. If the person it is drawn upon will not accept, and also adds he will not pay it when due, return it to the endorser or drawer immediately, taking a good bill or cash for the same.

But, if the drawee says he may pay it when due, wait till that day, present it for payment, and if then refused, have it protested, and for the amount call upon the endorser. But, as you have at present the endorser and drawer as your security, be cautious how you give up the bill to either for their single security, if doubtful.

When you remit a bill, endorse, on the back thereof, "Pay the contents to A. B. of C. or order. D. E. This will prevent the bill's being negotiated, should it fall into bad hands.

If the bill be payable to bearer, write, upon the face thereof, "Sent by post, December, 1821, to A. B. of C. D. E.," in red ink. Endorse no bill until you pay it away.



Form of a Letter of Credit.

Letters of Credit are granted by merchants or others, in favour of persons travelling into foreign countries. They are commonly open or unsealed, and contain an order from the writer or grantor to his factor or correspondent to furnish such a man, the bearer, with a certain sum, at one or several times, and to place it to the account of him who grants the letter. It is ordinary and necessary for the grantor of a letter of credit to give his correspondent a letter of advice, by post or otherwise, in which he describes the

person to be honoured with credit, from his stature, complexion, garb, or any mark on his body, or by some token, as he who can relate such a circumstance, &c. The design of which is to prevent fraud: for, the bearer of the letter may lose it, or he may be robbed, and it taken from him, and the finder or rogue go and present it. Letters of credit may be of various forms, and yet valid. We shall give only one specimen, as follows:

Mr. A. B.

Sir,

The design of this is, to desire you to furnish and pay to the bearer hereof, Mr. T. R., to the value of twelve hundred francs, at one or more times, as he shall have occasion, and as he shall require the same of you; for which, take his receipt or bill of exchange on me: and this my letter of credit, with mine of advice by the post, will be your sufficient warrant.

To Mr. A. B.
Merchant, in Paris.

I am, Sir, your humble servant,

C. D.

Note. Some letters of credit are called *general*, as being directed to all merchants or others to whom the bearer shall come; but such letters can be given only by persons or companies of very public credit.

CHAPTER V.

Of Factors and Factorage.

A FACTOR is one who acts for another, and who buys, sells, or negotiates, conformably with the orders of his employer, under various circumstances of limitation.*

The factor generally receives, from the merchant or person by whom he is employed, a commission of factorage, according to the usage of the place where he resides, and the business he transacts. It is requisite that he keep strictly to the tenor of his orders, as a deviation from them, even in the most minute particular, exposes him to make ample satisfaction for any loss that may accrue from his non-observance.

The usual compensation to a factor is made by a commission of so much per cent. on the goods sold; but sometimes he acts under a *del credere* commission; or, for an additional premium beyond the usual commission, *he undertakes for the credit of the persons to whom he sells the goods* to him consigned. In the latter case, the undertaking, though verbal, is not affected by the statute against frauds, which, in general, invalidates any verbal undertaking to be responsible for the debt of a third person; and the factor is usually sued as if he himself were the purchaser.

Del Credere is an Italian mercantile phrase, which has the same signification as the English word *Guarantee*, and the Scottish word *Warrandice*.

A factor authorized to sell goods in his own name generally debits the buyer to himself; though, if money be not paid he is not liable to his principal for it (unless under a commission *del credere*); yet he has a right to receive it, and his receipt is the proper discharge. The factor may bring his action, and the buyer cannot set off a former sum due to him from his principal.

* FACTOR, BROKER, and AGENT, are terms nearly synonymous; yet custom has created distinctions in applying these different names to particular distinctions of agency. Hence *Factor* appears to be exclusively applied to agents employed in the purchase or sale of goods. *Brokers* are generally factors, and employed also, in the shipping and money transactions of merchants and masters of ships. *Agents* have other distinctions, as those to the army and navy, who receive and advance pay or proceeds, on account of officers and others. The latter term, however, as it largely implies a person duly authorized to act for another, comprehends all the rest, and may therefore be indiscriminately applied to the whole.

A factor selling goods as his own, by indorsement of the bill of lading, though no delivery is made, the goods being at sea; the buyer shall keep possession, unless collusion appears between them.

A factor, empowered by general orders to dispose of goods to the best advantage, is bound to exercise that degree of diligence which a prudent man exercises in his own affairs. If it appears that he has done so, and sold the goods to persons in reputed good circumstances, and to whom he would have given credit on his sole account, he will not be liable, although some of these should fail. A factor is liable only for fraud or gross neglect, and while acting with good faith he is only bound to exercise ordinary diligence and attention. 1 *Johns. Cas.* 175.

But by neglecting to comply with the directions of his principal, he renders himself liable. 1 *Johns. Cas.* 437.

Though if he is sued by his principal for breach of trust, or orders whereby he has put himself in the place of the vendee he may use any defence of which the vendee could have availed himself, had the suit been brought against him. *Ibid.*

A consignee to whom the disposal of goods on particular terms is entrusted, may bona fide dispose of them in another manner, provided a compliance with those terms should be found impracticable. 2 *Caines*, 310.

He may sell goods sent to him as a commission merchant, and take a note according to the custom of the market, and if the vendee before the time of payment of the note should become insolvent, the factor will not be liable. 3 *Johns. R.* 319.

A generally empowered factor is paid by a commission of so much per cent. upon the goods sold, and is sure of his commission, whether the event be favourable or otherwise. Hence, to preclude risk to the merchant, the agreement called *del credere* was invented, by which the factor, for an additional premium beyond the usual commission, when he sells the goods on credit, becomes bound to warrant the solvency of the purchaser. A commission *del credere* is an absolute engagement to the principal from the broker (or factor) and makes him liable in the first instance. Thus, when a factor, under a commission *del credere*, sold goods, and took accepted bills from the purchasers, which he indorsed to a banker, at the place of sale, and, having received the banker's bill, (payable to the factor's own order,) on a house in London, indorsed and transmitted it to his employer, who got it accepted; it was holden that, on the failure of the acceptor and drawer of this bill the factor was answerable for the amount.

A sale by a factor creates a contract between the owner and buyer, although unknown to each other; and this rule holds even in cases where the factor acts upon a *del credere* commission. Hence, if a factor sells goods, and the owner gives notice to the buyer to pay the price to him and not to the factor, the buyer will not be justified in afterwards paying the factor, and the owner will be entitled to recover the price in an action against the buyer, unless the factor has a lien on such price.

If goods are bought by a person as a broker, though without disclosing the name of the purchaser, until he has become insolvent, the purchaser thus knowing that the party acted as an agent, cannot set off the price of the goods against a debt due to him from the broker, but is still liable to the vendor. But, when a factor, acting under a *del credere* commission, sells goods as his own, and the buyer does not know of any principal, the buyer may, in an action brought against him by the principal, set off a debt due to him from the factor.

The circumstance of persons selling goods being described in the catalogue of sale as sworn brokers, is not sufficient notice to the purchaser that they are only agents in that transaction, to prevent him from dealing with them as principals: and, when goods are sold by a broker without disclosing his principal, the purchaser is justified in paying him in the same or in a different manner from that stipulated for by the terms of the contract; though it would be otherwise when the principal is disclosed at the time of sale. When, however, a factor sells goods as a principal, and before they are all delivered, or any part of them paid for, the purchaser is informed that they belong to a third person, in an action by the latter for the price of them, the purchaser cannot set off a debt due to him from the factor.

If a broker is authorized by one man to sell goods, and to buy such goods for another, an entry in his books of sale of these goods from the one to the other, signed by him, is in general a binding contract between the parties; the bought and sold note, which is a copy of this entry, is not sent to the parties for their approbation, but to inform them of the terms of the contract. The authority, however, of the broker, may be countermanded at any time before a memorandum of the contract of sale is written and signed by him, pursuant to the statute against frauds, although he has previously entered into a verbal agreement to sell the goods.

Should unlimited orders be given to a factor, he is left to buy or sell on the best conditions he can. If detriment occurs to his employers, the ready excuse will probably be, that he acted for the best, according to his prudence and judgment.

The factor being merely a trustee for his principal, if the latter, having goods in the

other's hands, owes him money by simple contract, and then dies indebted by specialty, more than his assets are worth, the factor cannot retain the goods.

If a factor receives a commission merely to sell and dispose of goods, this will not enable him to trust; yet it is now held that he may sell on credit, unless the usage of the trade be to the contrary.

A factor, as such, has not any authority to *pledge*, but only to sell, the goods of his principal. Hence, if the factor pledge the goods, the owner may recover the value of them in an action of trover against him with whom they are pawned. If the factor pledges the goods as his own, the pawnee cannot claim to retain against the principal for the amount of the factor's general lien at the time of the pledge; but the factor may deliver them as security, with notice of his lien to a third person to keep possession as his agent, in order to preserve that lien. *4 Johns. 103.*

The same rule holds with respect to a bill of lading which has been endorsed to a factor by his principal; for the bill of lading, which is the *symbol of the delivery of possession*, cannot give the factor a greater authority than the actual possession of the goods themselves. Hence, as a factor cannot pledge the goods, so neither can he pledge the bill of lading; for though the endorsement of a bill of lading gives the endorsee, or person to whom endorsed, an *irrevocable right to receive* the goods, yet it will not have that operation where it is intended as an assignment of the property in the goods, or where it is intended as a deposit only, by a person not authorized to make such deposit.

The maxim that the principal is civilly responsible for the acts of his agent, prevails universally in courts of law and equity; and, upon this principle, it was held by Chief Justice Holt, that a merchant was answerable for the deceit of his factor, who had sold some silk to the plaintiff as silk of a superior, knowing it to be of an inferior, quality.

If the principal direct his factor to load a vessel with certain goods, and he should load her with goods of a different description, the former is not bound to accept them, nor is he liable for any of the charges upon them. *4 Johns. 103.*

The several merchants who employ the same factor must run the joint risk of his actions, although they are strangers to each other; thus, if five merchants remit to him five distinct bales of goods, and the factor makes a joint sale of them to one man, who is to pay one moiety down, and the other at six months' end; if the buyer fails before the second payment, each merchant must bear a proportional share of the loss, and be content to accept of his dividend of the money advanced.

But if the factor draws a bill of exchange upon all those five merchants, and one of them accepts the same, the others shall not be obliged to make good the payment.

The authority and trust reposed in factors being very great, they ought to be very provident in their actions for the benefit of their principals. If a factor gives time to a man for payment of moneys contracted on sales of his employer's goods, and after the time is elapsed, sells goods of his own to the same person for ready cash, leaving the other unpaid, and such man becomes insolvent, the factor ought to make good the loss—although he cannot be compelled by the law.

If goods are remitted to a factor, and he makes a false entry of them at the custom-house, or lands them without entry, whereby they incur seizure or forfeiture, he must make good the damage to his principal; but, if he makes his entry according to invoice or his letters of advice, and these prove erroneous, the goods are lost, and he discharged.

The same probity expected from the factor is, by the law, expected from his employer, judging that the act of the one is that of the other; therefore, if a merchant consigns counterfeit jewels to his factor, who sells or disposes of them as if genuine, and incurs a loss or damage thereby, the merchant shall not only make it good, but render such other satisfaction as may be adjudged. It is established that a principal shall answer for his factor in all cases; and, in contracts, if a factor buy goods on account of his principal, especially if accustomed to do so, the contract of the factor will compel the principal to a performance of the bargain.

The proceeds of goods sold by a factor must be carefully disposed of. If applied without the limits of his commission, or order, he becomes responsible. Conforming to this, if he be robbed, the act discharges him; and if he buy goods which afterwards suffer injury, the loss becomes that of the merchant. If the factor takes money that is false, he must make good the loss; but, if the money which he receives be afterwards lessened in value by edict or proclamation, the loss is that of the merchant.

The caution of the factor is particularly required to letters of credit: as to whether for a time limited, or to what value, &c.

It is now held, that, if a merchant remit goods to his factor, and shortly after draws a bill on him, which is accepted, and he then breaks, the factor has a general lien upon all goods in his hands for the value of his acceptance, and whatever may be due to him.

Bills remitted to a factor are, while unpaid, considered as goods unsold; and if the factor become bankrupt, must be returned to the principal, subject to the lien of the factor. A factor has lien on consigned goods for incident charges, and also as an item

of general account for balance due to him, so long as he keeps possession of them; if he parts with them, he parts with his lien.

If a factor who enters into a charter-party with a master for freightment personally covenants for the performance of it, he is obliged by the contract; but, if he loads abroad generally, the goods, the principals, and the lading, are made liable, and not the factor.

If a factor possessing money belonging to his principal receives orders from him to make insurance on ships and goods so soon as he has loaded, and neglects to do so, he shall make good the damage that may accrue from such neglect. In case of loss he ought not to make a composition without orders from his principal.

Joint-factors are answerable for each other; and one may account without his companion.

A factor should be extremely punctual in the advices of his transactions, in sales, purchases, affreightments, and especially in drafts by exchange. If he sells on trust, without giving advice thereof, and the buyer breaks, he is liable to trouble for his neglect; and, if he draws without advising that he has so done, he may expect to have his bill returned protested. If he deviates from the orders he receives for purchasing goods, in any respect; or if, after they are bought, he sends them to a different place from that directed to, they must remain for his own account; unless the merchant, on advice, admits them. If he sells a commodity under the price ordered, he may be compelled to make good the difference; and, if on purchasing goods for another, at a price limited, the price rises, and he takes them for his own account, and sends them to another part, he will be obliged to satisfy his principal for damages.

Again, if a factor, in conformity with a merchant's orders, buys with his money or credit that which he shall be directed to purchase, and, without giving advice, sell it again to profit, appropriating the advantage to himself, the merchant may recover it from him and amerce him for the fraud.

If a merchant orders his factor to ship him a sum of money, in the current coin of a kingdom, when its exportation is prohibited, and the money is seized, the loss is the merchant's, and not the factor's.

Lastly, if a factor pays the money of a merchant, without his orders, it is at his own risk; so, also, if he lends his cash without leave, although he proposes that the interest shall be for the merchant.

COMMERCIAL AGENTS are persons frequently appointed to settle accounts and dispose of the effects of merchants and other persons dying or falling in foreign countries or at home. Their commission terminates with the particular business for which they were engaged, and they generally give security for the trust reposed in them.

SUPERCARGOES are persons employed by commercial companies, or private merchants, to take charge of the cargoes they export to foreign countries, to sell them there to the best advantage, and to purchase returning cargoes of the most advantageous kind. The supercargoes generally go out and return with the ships on board of which they were embarked, and therein differ from factors, who reside abroad at the settlements of the companies for which they act.

'SHIPS' HUSBANDS. The chief employment of this class of agents is in the principal sea-ports, where they purchase the ship's stores for her voyage, procure cargoes on freight, settle the terms and obtain policies of assurance, receive the amount of freight, pay the captain, or master, his salary and disbursements, and, finally make out an account of all these transactions for his employers, the owners of ships, to whom he may be considered as a steward on land, as the officer bearing that name is on board the ship, when at sea.

CHAPTER VI.

Freight, Charter-Party, and Demurrage.

Definition of Freight.

FREIGHT is the sum agreed on, or payable for, the hire of a ship or carriage of goods; but the word *freight* is sometimes rather improperly used to signify the cargo or loading itself. In its former and more correct sense only it will be used in the course of this treatise.

The taking of a ship to freight is the hiring her from her master or owners, either in part or in the whole, by the month for an entire voyage, or by the ton. The contract, when reduced into writing, is called a *charter-party*; but it may be done by a *verbal agreement* only.

What a charter-party is.—A charter-party is the same in the civil law as an indenture at common law. It settles the terms upon which the cargo is to be carried, as the bills of lading determine the contents of the cargo; the master or owners usually binding themselves, the ship, tackle, and furniture, that they shall be delivered (dangers of the seas excepted) well-conditioned, at the place of discharge agreed upon. They likewise generally covenant to provide a sufficiency of tackle and mariners, and to fit the ship in every respect for performing the voyage. The merchant or freighter, on his part, stipulates to comply with the payment promised for freight on delivery of his goods: and both parties oblige themselves in penalties for non-performance.

Who may make a charter-party.—A charter-party may be made by the master, for himself and owners; in which case, the master may release the freighter without advising with the owners. But, if the owners let out to freight the ship, *whereof J. J. is master*, then, though the master covenant in the same charter-party, and subscribe it, his release will not bind the owners; but the owners' release will include the master.

So likewise may a factor enter into a charter-party. If the ship be only freighted outwards, and loaded by the factor, the goods shipped are alone liable for the freight: and no demand can be made on the freighters by virtue of the charter-party: but the consignee of the goods is to pay the freight, according to the bills of lading.

Freight where no agreement.—Freight will, however, arise, not only by the terms of a charter-party or verbal-agreement, but by *common usage*; for, when goods are sent on board generally, such freight becomes payable as is customary for the like goods in similar voyages.

Cargo answerable for the freight.—The lading of the ship is *tacitly* bound for the freight, which, in point of payment, is preferred before all other debts to which the goods so laden are liable, although such debts, as to the time, were *precedent* to the freight; for the goods remain, as it were, *bailed* to the master for the freight, nor can they be attached in his hands. But, as the goods are bound to the ship for hire, so is the ship to the owner of the goods in case of damage or waste through the defect of the vessel or, sailors.

A trading voyage.—If a ship is freighted from one port to another, and thence to a third, fourth, and so home to the port whence she first sailed, (commonly called a trading voyage,) this is all but *one* voyage: but must be performed conformably with the charter-party or agreement.

Freight by the ton or parcels.—If a ship be freighted by the ton, and she is full laden according to the charter-party, the freight is to be paid for her whole tonnage; otherwise but for so many tons as the lading amounted to.

If the ship be named to be of a certain burthen, and shall be found less, there shall be no more paid than only for the number of tons actually laden on board.

If the burthen be expressed to be two hundred tons or *thereabout*, the addition of *thereabout* is commonly reduced to be within five tons more or less.

If a ship, freighted by the ton or by parcels, be cast away, and part thereof be saved from the wreck, it has been doubted, whether, *pro rata*, freight should not be paid.

Freight by the great.—If a ship be freighted by the great, and her burthen be not expressed, yet the sum certain is to be paid.

If a burthen be expressed, and she be found not to amount to that burthen, yet the sum certain is to be paid.

If a ship, freighted by the great, be cast away, the freight is lost.

Freight by the month.—In freighting a ship by the month, calendar-months are meant; and thus it is always calculated by the merchants.

In case a ship be freighted at the rate of \$500 for every month that she shall be out, to be paid after arrival at the port of New-York, and the ship be cast away coming up from the Hook, but the lading is all preserved, freight becomes due; for the money arises monthly by the contract, and the place mentioned is only to show where payment is to be made. The freight becomes due on the delivery or bringing up of the commodities, and not the ship, to the port of New-York.

Freight for the voyage out.—If a ship be freighted out, and the master covenants that the ship should sail out of the port to Cadiz with the first fair wind and opportunity, and the freighter covenants, that, for the freight of all the premises, he would pay unto the master \$2000 if the master do not show that the ship arrived at Cadiz, he cannot recover the freight. The reason of this seems to be, that, by the special terms of the contract, the master was in the nature of an insurer for the amount of the freight agreed on.

A contract is made between a merchant and a master of a ship, that, if he carries the merchant's goods to such a port, he will then pay him so much money for freight. In making the voyage, the ship is robbed by pirates, and part of her lading lost, and

Afterwards the remainder is brought to the port of discharge. Here the sum agreed on for freight is not due, the agreement not being performed on the part of the master; and this is a conditional contract. But it is otherwise by the civil law, for thereby the same is a danger of the seas, which, if not expressed in naval agreements, is naturally implied: and there was no default in the master or his mariners; and, had these goods which the pirates carried away, been thrown overboard, it would not have worked a disability in the master to receive the sum agreed on; because, both by the common law and law of marine, the act of God, or that of an enemy, shall not have an effect to work wrong in actions private; and a pirate is esteemed an enemy in our law.

If a vessel is compelled to put into a port short of the place of destination, and is unable to prosecute the voyage, and the goods are there received by the owner, he must pay freight according to the proportion of the voyage performed. 2 *Johns*. 323.

But freight *pro rata* cannot be recovered, unless the goods be accepted at a place short of the destined port.

Where a vessel arrives at the port of destination, and is turned away by reason of its being blockaded, and returns to the port of departure, no freight is due. 2 *Johns*. 336.

Where the master is consignee and joint owner of the cargo, his selling at a port of necessity will be deemed an acceptance by him as owner, so as to render *pro rata* freight due. 2 *Caines*, 13.

The owner of the goods is not personally liable for the freight until the goods are all delivered, or until after refusal of delivery.

Freight out and home.—When a ship is freighted *out* and *in*, (or *out* and *home*) there is no freight due till the whole voyage be performed: so that, if she be cast away coming home, the freight *outwards* as well as *inwards* becomes lost.

Freight for passengers.—If freight be contracted for the transporting of women, and they happen in the voyage to be delivered of children, no freight becomes due for the infants.

A master of a ship is not bound to answer freight to the owners for passengers, where it appears that they are not able to pay.

Freight for cattle.—If freight be agreed on for a lading of certain cattle, or the like, from New-York to Barbadoes, and some of them happen to die before the ship's arrival, the whole freight is become due, as well for the dead as the living. But, if the contract be to transport them at so much *per head*, freight will become due only for such as are living at the ship's port of discharge.

When cattle are sent on board, without any previous agreement about transporting them, but generally, their freight is payable for the dead as well as the living.

Where goods have been carried to the port of destination, though spoiled so as to be of no value, the owner cannot abandon the goods for the freight, but must pay to the master his full freight.—3 *Johns*. 321.

But where wine has leaked out of their hogsheads, or where sugar has been so wet, in consequence of tempestuous weather, as to leak out, no freight can be recovered for the empty hogsheads.—2 *Johns*. 327.

Of the performance of the charter-party by the freighter.—If, by the time appointed in the charter-party, the freighter is not ready to load, the parties are at liberty; and the suffering one hath his remedy by action for the same.

If part of the loading be on board, and some intervening misfortune prevent the merchant from shipping the whole in time, the master is at liberty to contract with another, and shall have freight, by way of damage, for the time that those goods were on board after that limited. For, a failure as to a complete loading will end the contract, unless afterwards *affirmed by consent*. And, though it be not prudent for a merchant and master to depart from the contract, on every non-compliance with its terms, yet it is the highest justice that ships and masters should, in such cases, remain free: for, otherwise, by the bare lading of a cask or bale, they might be defeated of the opportunity of passage or the season of the year.

If goods are fully laden on board, and the ship hath *broken ground*, and the merchant determines again to unload them, and not to prosecute the adventure, by the *marine law* the freight is due.

Where no freight was to be paid for the cargo *outwards*, but freight for the cargo *homewards*, and the freighter's factor abroad had no goods to load on board of her, payment of the freight was decreed.

If a ship be freighted out and home, and deliver her cargo at the place agreed on: or if a ship be freighted to go to any place to load, and arrive there, and the freighter's factor cannot or will not put any thing on board, the master must stay the days of demurrage agreed on by the charter-party, and make a regular protest for his freighter's non-compliance, who will, in this case, be obliged to pay him, empty or full: though, should the master not wait the time stipulated, or omit to make his protest, he will lose his freight. In case the master, on his finding no goods provided, should load some on his own account, as salt or the like, this will not prevent his recovering the freight;

but, if the master take in such salt, on his own account, before the days of demurrage are expired, and that, by some condition with the freighter, he may still claim freight, then the freighter is to have the benefit of the salt, in deduction of the said freight.

If a freighter, by loading prohibited or unlawful goods, occasions the ship's detention, or otherwise impedes the voyage, he will have to pay the freight agreed for.

Of performance of the charter-party by the master or owner.—If, by the time appointed in the charter-party, the ship is not ready to take in, the parties are at liberty; and the suffering one hath his remedy against the other, by action, to recompense the damages.

If part of the goods be on board, and some intervening misfortune prevent the master from taking in the remainder, the merchant may ship them on board another, discharge the first, and recover damages against the master and owners for the rest.

If the ship in her voyage become unable, without the master's fault, or that the master or ship be arrested by any foreign prince or state in her voyage, the master may either *mend his ship, or freight another*; but if the merchant will not consent thereto, then the *freight* becomes due for so much as the ship hath *earned*; otherwise the master is liable for all damages that shall happen: and therefore, if that ship to which the goods were translated perish, the master shall answer; but, if both ships perish, then he is discharged. But, in case of extreme necessity, as that the ship would be in a sinking condition, and an empty ship is passing by or at hand, he may translate the goods; but if that ship sinks or perishes, he is there excused; but then it must be apparent that the ship seemed *probable* and *sufficient*.

But if the ship be capable of being repaired in a reasonable time, the owner ought to repair her, and continue his voyage, so as to claim his freight, which will be due if he offer to carry the goods on, though they are damaged, unless they are physically destroyed. 3 *Johns. Cas.* 93.

No freight is due for goods destroyed by perils of the sea during the voyage.

If a master shall weigh anchor and sail after the time covenanted or agreed for his departure, if any damage happens at sea after that time, he shall refund and make good all such misfortune. Yet, if a *charter-party* be made, that the plaintiff shall sail from London to Lisbon with the first fair wind and opportunity, &c. in consideration of which the merchant did covenant to pay so much for freight, and the ship departs not with the first fair wind and opportunity, yet afterwards *breaks ground* and arrives at her port, the freight in this case is become due; and there is nothing can debar the ship of her freight but non-departure; for only that in law is material to avoid payment of the freight; but to say the ship did not depart with the next wind, is a circumstance which, in strictness of law, is not necessary to be denied.

If it be agreed that the master shall sail from New-York to Leghorn in two months, and freight accordingly is agreed on, if he begins the voyage within two months, though he does not arrive at Leghorn within the time, yet the freight is become due.

If a master lets out his ship, and afterwards secretly takes in other goods unknown to the first freighter, by law marine, he loses his freight: and if it should so fall out that any of the freighter's goods should, for safety of the ship, be thrown overboard, the rest shall not become subject to average, but the master shall make the damage good; though, if the goods should be brought into the ship secretly and unknown to him, it is otherwise; and goods so brought in may be subject to what freight the master thinks fit.

When a ship puts into any other port than that she was bound to by agreement, the master shall answer all damages that shall accrue thereby: but, if she was forced in by storm, enemies, or pirates, he must afterwards proceed to that he was obliged to by contract.

If a ship in her voyage happens to be taken by an enemy, and afterwards is re-taken by another ship in amity, and restitution is made, and she proceeds on her voyage, the contract is not determined, though the taking by the enemy divested the property out of the owners; yet, by the law of war, that possession was defeasible; and, being recovered in battle afterwards, the owners became reinvested: so the contract, by fiction of law, became as if she never had been taken; and the entire freight becomes due.

It was covenanted, by a charter-party, that a ship should return by a certain time within the Delaware, (the danger of the sea excepted) and afterwards in the voyage, and within the time of the return, the ship was *taken* upon the sea by enemies unknown to the covenantor; and, being detained by them, could not return within the river Delaware within the time mentioned by the covenant:—*Resolved*, This impediment was within the exception; for these words intend as well any danger upon the sea, by pirates or men of war, as dangers of the sea by shipwreck, tempest, or the like.

How an embargo will end a charter-party.—If, before the departure of the ship, there should happen an embargo, occasioned by war, reprisals, or otherwise, with the country to which the ship is bound, so that she cannot proceed on her voyage, the *charter-party* shall be dissolved without damages or charges to either party, and the merchant

shall pay the charges of unlading his goods ; but, if the restraint arises from a difference between the parties themselves, the *charter-party* shall still remain valid in all points.

If the ports be only shut, and the vessels stopped for a time, the *charter-party* shall still be valid, and the master and merchant shall be reciprocally obliged to wait the opening of the ports, and the liberty of the ships, without any pretensions for damages on either side.

However, the merchant, at his own charges, may unlade his goods during shutting up of the port, upon condition either to relade them, or indemnify the master.

BILLS OF LADING.

A bill of lading.—A bill of lading is a writing wherein masters of ships acknowledge the receipt of goods on board, and oblige themselves to deliver the same in good order and condition at the place whither they were consigned. There must always be three made out, of which one should be remitted, by the first post after signing, to the person the goods go to ; another be sent him by the ship ; and the third remain with the shipper : besides which, a fourth should be made out, to be given to the master for his government.

The difference between a bill of lading and a charter-party is, that the first is required and given for a single article or more, laden on board a ship that has sundry merchandise shipped for sundry accounts. Whereas a charter-party is a contract for the whole ship. Bills of lading ought to be signed by the master within twenty-four hours after the delivery of the goods on board. But, upon delivery of the goods, the master, or other person officiating for the master in his absence, is to give a common receipt for them, which is to be delivered up, upon the master signing the bill of lading.

Upon delivering the goods at the port of destination to the shipper's factors or assigns, giving up the bill of lading sent to the factors or assigns is a sufficient discharge, but the master may insist on a receipt.

Demurrage.—Demurrage is an allowance made to the master of a ship by his freighters, for staying longer in a place than the time first appointed for his departure ; but in order to procure the demand, a very particular certificate is required, signed by the agent for transports, or other persons appointed to superintend the shipping or delivery of the stores, and stating all the circumstances.

CHAPTER VII.

MARINE ASSURANCES.

ASSURANCE is a contract by which the assurer undertakes, in consideration of a premium equivalent to the hazard run, to indemnify the person assured against certain perils and losses, or against some particular event. All assurances, whether against fire or on lives, fall within this general description ; but the subject meant to be considered here is that of *MARINE ASSURANCES*. From this definition it appears to be a contract of *indemnity* against those perils to which ships and goods are exposed in the course of their voyage from one place to another.

The *origin of assurance* has occasioned much doubt among the writers upon mercantile law. Indeed, it is involved in so much obscurity, that, after all the researches which have been made, any very satisfactory solution of this doubt cannot be promised. One truth, however, is clear, that, wherever commerce extended its influence, assurance must have soon followed as a necessary attendant, it being impossible to carry on any very extensive trade without it, especially in the time of war. Some writers have ascribed the origin of this contract to Claudius Cæsar, the fifth Roman Emperor. Other respectable authorities have given the honour of it to the Rhodians, thus laying a foundation for the idea that the law of assurance had obtained a place in most of the ancient codes of jurisprudence. The minute consideration of this question through those remote times would be attended with little satisfaction ; the mind, perhaps, is more gratified to know, from authentic history, that it was introduced into England by the active and industrious Lombards, who went thither in the thirteenth century ; and that, whatever might have been its imperfect infant state, about the end of the fifteenth century, many considerable regulations were made at Barcelona, in Spain, respecting marine assurances. The progress which this branch of law had made in England previously to the time of Lord Mansfield was very low ; but, during the long period that venerable judge

presided in the court of King's Bench, its progress towards perfection was equally rapid.

A complete system cannot be suddenly erected; but it is the boast of this age, that in it the great foundations of marine jurisprudence have been laid, by clearly developing the principles on which policies of insurance are founded, and by applying those principles to particular cases. In the following treatise we shall endeavour to render the law of it so clear as to be a guide to the merchant, owner, freighter, and man of business. To effect this, we have divided the subject, and it will be discussed in the following order:

- I. The Policy.
- II. The Construction of the Policy,
- III. Perils of the Sea.
- IV. Capture and Detention of Princes.
- V. Barratry of the Master or Mariners.
- VI. Partial Losses and of Adjustments.
- VII. General Average.
- VIII. Salvage.
- IX. Abandonment.
- X. Fraud in Policies.
- XI. Sea-Worthiness.
- XII. Illegal Voyages.
- XIII. Prohibited Goods.
- XIV. Re-Assurance and Double Assurance.
- XV. Changing the Ship.
- XVI. Deviation.
- XVII. Non-compliance with Warranties.
- XVIII. Return of Premium.
- XIX. Bottomry and Respondentia.

I. The Policy.

The policy is the instrument by which the contract of indemnity is effected between the assurer and assured; and it is signed only by the assurer, who is called the underwriter. Of policies there are two kinds, *valued* and *open*; and the only difference between them is this, that, in the former, goods or property assured are valued at prime cost, at the time of effecting the policy; in the latter, the value is not mentioned, but, in case of loss, must be proved.

Policies of assurance, when once they are underwritten, can, generally speaking, never be altered by any authority whatever; because it would be an opening to fraud, and would introduce uncertainty into a species of contract, of which certainty and precision are the most essential requisites. It must be observed, however, that cases frequently exist, in which a policy, *upon proper evidence*, may be altered; and, after signing, policies are frequently altered by *consent* of the parties.

How far the *consent of the parties* is necessary, may be judged of by the following case: The assurance was on a ship and cargo from Liverpool to Oporto. The ship sailed, but was driven back by contrary winds; and, before she could sail again, an embargo was laid. The assured applied to the underwriters for leave to put guns on board, and to take out a letter of marque. The underwriters consented to the guns for her defence, but refused the letter of marque. Notwithstanding which, a general letter of marque was obtained, and put on board. The ship sailed, and was taken on her voyage out. The jury thought that the letter of marque was intended to be used only in the voyage home. The court, however, determined that this vacated the policy.—*Denison v. Mogdilian*, 5 Term Rep. 580.

A policy of assurance is the property of the assured; and, if it be *wrongfully* withheld, either by his broker or any other person, he may recover it by an action of trover.

Policies of assurance are generally printed, leaving blanks for the insertion of names and all other requisites. It is therefore frequently necessary to insert written clauses; and these written clauses and conditions, thus inserted, are to be considered as part of the real contract; the court will look to them to find out the intention of the parties, and will consequently suffer such condition to control the printed words.

We will now proceed to consider, First, what persons may be the assurers; Secondly, what things may be assured; Thirdly, what the requisites of a policy are.

1st. What persons may be Assurers.

If a ship be assured with one underwriter, and the freight with another, and the as-

sure on the freight shall pay the assured the sum he subscribed, as for a total loss, he shall afterwards be entitled to recover the said sum, if the ship be subsequently liberated and earn freight of the assured. The expenses on the ship before abandonment must be borne by the underwriters of the ship; nor shall any preference be given to their claims on account of priority of assurance. *Thompson v. Rowcroft*, Term Rep.

2dly. What things may be assured.

The most frequent subjects of marine assurance are *ships, goods, merchandises*, and the *freight or hire* of ships. But, although assurances upon such property most frequently occur, yet there are cases which can hardly fall within any of those descriptions.

The *bottomry* and *respondentia* are a particular species of property which may be the subject of assurance; but then it must be particularly expressed in the policy to be *respondentia* interest; for under a general assurance on *goods*, the party assured cannot recover money lent on *bottomry*. Such has been, and is at this day, the established usage of merchants.

This was decided in an action upon a policy of assurance "upon *goods and merchandises*, loaden, or to be loaden," &c. The evidence appeared to be, that, before the signing of the policy, the plaintiff had lent Captain Tryon, upon the *goods* then loaden and to be loaden on board the said ship, on account of the said Captain Tryon, the sum of £764 at *respondentia*, for which a bond was executed in the usual form; that the ship at the time of the loss had goods and merchandises on board, the property of Captain Tryon, of greater value than all he had borrowed; that the ship was afterwards burnt, and all the goods and merchandises were totally consumed and lost. Upon these facts, the question was, whether the plaintiff could recover.

Lord Mansfield, in delivering the judgment of the court, observed to this effect: "I inclined to support this assurance, being convinced that it is fair, and that a doubt has arisen by a slip in omitting to specify (as it was intended to have been done) that this was a *respondentia* interest." But it might be greatly inconvenient to introduce a practice *contrary to general usage*, and there may be some opening to fraud if it be not specified. The ground of our resolution is, 'That it is now established as the law and practice of merchants, that *respondentia* and *bottomry* must be specified and mentioned in the policy of assurance.'—*Glover v. Black*, 3 Burr. 1394. 1 *Johns. Rep.* 385, confirmed.

But, though this case is good law, yet it has since been ruled, that money expended by the captain for the use of the ship, and for which *respondentia* interest was charged, may be recovered under an assurance on *goods, specie, and effects*, provided the *usage of the trade*, which in matters of assurance is always of great weight, sanction it.

Thus, in an action upon a policy of assurance on *goods, specie, and effects*, of the plaintiff, who was also the captain on board the ship, the plaintiff claimed under that assurance, money expended by him in the course of the voyage for the use of the ship, and for which he charged "*respondentia* interest." Lord Mansfield said, as to whether the words "*goods, specie, and effects*," extended to this interest, I should think not, if we were only to consider the words made use of. But here there is an *express usage*, which must govern our decision. A great many captains in the East India service swear, that this kind of interest is always assured in this way, and here the person assured is the captain.—*Gregory v. Christie*.

Captors of ships secured as prize may assure their interest therein before condemnation; nor are they entitled to a return of premium, if the capture be ultimately adjudged no prize; and restitution be awarded to the owners by the Court of Admiralty.

Assurances upon the wages of seamen are forbidden;* a regulation founded in wisdom and sound policy. This regulation, however, does not mean to prevent mariners from assuring those wages which they are entitled to receive abroad, or goods which they have purchased with those wages in order to bring them home; but, in such a case, they are to be considered in the same light with other men.

It has, however, been determined, that, where the mate of a ship or a sailor is to receive something at the end of the voyage, in lieu of wages, he cannot assure it, any more than he could assure wages payable in money.—*Webster v. De Tastet*, 7 Term Rep. 157.

A wager policy is valid at common law, but to entitle the plaintiff to recover, the loss must be total and final. 3 *Caines*, 141.

It is not necessary to state the particular interest. 1 *Caines*, 276.

* In Scotland, however, such assurances are by no means without example; and have never been the subject of litigation. *Miller's Law of Assurances*.

The words "policy to be proof of interest," are not evidence of a wager policy.

The owner of a vessel hypothecated has an insurable interest in her, and may insure generally. 1 *Johns. Rep.* 385.

But the owner of a vessel under a bottomry for more than her value, cannot insure her. 2 *Caines' Cas.* 110.

Profits, freight, and bottomry interest, must be described by name in the policy.

Goods may be assured, though purchased with the proceeds of a former illegal cargo.

3dly. *Of the Requisites of a Policy.*

The essentials in a policy of assurance are, first, the name of the person for whom the assurance is made: Secondly, the names of the subscribers or underwriters, and the sums assured: Thirdly, the names of the ship and master: Fourthly, whether they are ships, goods, or merchandises, upon which the assurance is made: Fifthly, the name of the place where the goods are laden, and whither they are bound: Sixthly, the time when the risk begins, and when it ends: Seventhly, all the various perils and risks which the assurer takes upon himself: Eighthly, the consideration, or premium, paid for the risk or hazard run: Ninthly, the month, day, and year, on which the policy is executed.

First, Of the Names of the Persons assured.

Where the policy states the insurance to be for account of A., it is equivalent to a representation that A. is owner. 3 *Johns. Cas.* 130.

A policy in the name of one joint owner, "as property may appear," without stating the insurance to be for the benefit of all concerned, does not cover the interest of another joint owner. 2 *Cranch*, 431.

If the insurer knows that a policy in the name of the broker is in fact effected on account of another, a debt due from the broker cannot be set off against the loss.

Secondly, The Names of the Subscribers or Underwriters.

This indeed was always requisite; as, without it, there would be no assurer.

Thirdly, Of the Names of the Ship and Master.

It seems to be necessary, by the law and usage of merchants, to insert the names of the ship and master, in order to ascertain the bottom upon which the adventure is to be made, and the captain by whose direction the ship is to be navigated. Sometimes, however, there are assurances generally, "upon any ship or ships," expected from a particular place; and although it is more accurate to insert the name of the captain, it is not certain that the assurance would be void, if a different captain from that mentioned in the policy came into the ship; especially as the policy always contains the words—"or whosoever else shall go for master in the said ship."

With respect to assurances upon any ship or ships, it has been recently determined, that they are not only legal and valid, but that the assured has a right to cover, by such policy, whatever ship he thought proper that fell within the terms of it.

Fourthly, Whether they are Ships, Goods, or Merchandise, upon which the Assurance is made.

It is absolutely necessary that there should be a specification upon which of these the underwriter assures. But it is another question, whether, in policies upon goods, it be necessary to declare the particulars. The practice is very unsettled: in the opinion, however, of very respectable merchants, the particulars of goods should be specified, if possible, by their marks, numbers, and packages, and not under the general denomination of merchandise. When goods are coming from abroad, it is better to assure under general expressions, on account of the various casualties which may happen to obstruct the purchase of the commodities intended to be sent.

There are certain kinds of merchandise which are of a perishable nature, on account of which, there is inserted a memorandum at the foot of the policy, by which it is declared, that, in assurances upon bar and sheet iron, iron wire, tin plates, salt, grain of all kinds, tobacco, indian meal, fruits, (preserved or otherwise) cheese, dry fish, vegetables and roots, hempen yarn, cotton bagging, pleasure carriages, household furniture, skins and hides, musical instruments, looking glasses, and other articles that

are perishable in their own nature, the underwriters will not be answerable for any partial loss, but only for general average. That, in assurances on hemp, they consider themselves free from partial losses not amounting to thirty per cent.; on sugar, flax, flaxseed, and bread, on losses not amounting to seven per cent.; and on coffee and pepper in bags or bulk, on losses not amounting to ten per cent., unless it arise from a general average; and no loss or particular average shall be paid, unless amounting to five per cent.

A memorandum that corn, &c. shall be free from average, unless general, protects the insurer from every claim for a total loss, unless there has been an actual physical destruction of the subject insured. 1 *Johns. Cas.* 226.

There are some kinds of property which do not fall under the general denomination of goods in a policy, and for the loss of which the underwriters are not answerable, unless they are specifically named; such as *goods lashed on deck, the captain's clothes, and the ship's provisions*. A policy on goods, means only such goods as are merchantable, and a part of the cargo; and, therefore, when goods like the present are meant to be assured, they are always assured by name, and the premium is greater.

It is questioned whether a cargo of dollars or other coin, jewels, &c. if lost, be recoverable under a policy upon goods and merchandises generally; but Magens, in the Treatise on Assurances, states explicitly, that gold and silver, coined and uncoined, pearls and other jewels, may be assured at London and Hamburg, and several other places, under the general expression of *merchandise*. Magens is confirmed by other writers on the subject.

Fifthly, The Name of the Place at which the goods are laden, and to which they are bound.

This has been always held to be necessary in policies, and must be so, on account of the evident uncertainty which would follow from a contrary practice, as the assurer would never know what the risk was which he had undertaken to assure; and, therefore, if a ship be assured from New-York to _____, a blank being left by the lader of the goods to prevent a surprize by an enemy, and if in her voyage she happen to be cast away, though there be private instructions for her port, yet the assured must sit down with his loss, by reason of the uncertainty.

Where the insurance was to Barbadoes and a market, it was decided by the Supreme Court in New-York, that the vessel might go *bona fide* from island to island, for the purpose of selling her cargo, and that the risk was not determined until the whole was disposed of. 1 *Johns. Rep.* 333.

If the insurance is to several ports, and the insured intend to go but to one, he can go to either; but if to more than one, he must follow the order in which they are described in the policy. 2 *Johns. Rep.* 264.

It is also customary to state in the policy at what port or place the ship may touch and stay during the voyage, so that it shall not be considered as a *deviation* to go to any of those places.

The term *port* must be taken in reference to the subject-matter to which it is applied. It generally means a harbour, but where there are no harbours, it may mean a road or anchoring place for the purpose of loading or unloading. 10 *Johns. Rep.* 126.

Where the vessel is obliged, by the municipal regulations of the country, to stop without the harbour to be examined, the risk continues until she has been moored in safety within the harbour for 24 hours. 11 *Johns. Rep.* 358.

Sixthly, The Time when the Risk commences, and when it ends.

Policies expressly declare, that "the adventure shall begin upon the said goods and merchandise, from the loading thereof on board the said ship, and so shall continue until the said ship, goods, and merchandises, shall be arrived at L.; and upon the said ship till she has moored at anchor twenty-four hours in good safety; and upon the goods till the same be there safely discharged and landed. From these words, it is obvious that the assurers are not answerable for any accident which may happen to the goods in lighters or boats going aboard, previous to the voyage; yet, as the policy says the risk shall continue till the goods are safely landed, it seems the assurer continues responsible for the risk to be run in carrying the goods in boats to the shore. If there be a loss, however, in these cases, the accident must have happened while the goods were in the boats or lighters belonging to the ship; but in a case where the owner of the goods brings down his own lighter, receives the goods out of the ship, and, before they reach land, an accident happens whereby the goods are damaged, the assurer is discharged, although the assurance be upon goods to New-York, and till the same be safely landed there.

Insurance against all risks, means against all losses except such as may arise from the fraud of the insured. 1 *Johns. Cas.* 337.

Where there is no representation of neutrality, the insurer takes upon himself war risks. 1 *Caines*, 217.

Damage in consequence of detention from pestilence in the port, is a loss within the policy. 2 *Caines*, 1.

The interdiction of commerce with the destined port is a peril within the policy, and the vessel is not bound to proceed to the nearest port, neither is the affreighter bound to receive his goods there. 1 *Johns*, 249.

Policies of Insurance are construed in the most liberal manner by courts of justice, in order to execute the real intention of the parties, if it can be clearly ascertained. 5 *Cranch*, 341.

In the unloading of goods there should be no unreasonable delay, but this must always depend upon circumstances.

The risk on the body of the ship is generally to commence "from her beginning to load at and so shall continue and endure until the said ship shall arrive at and hath there been moored at anchor 24 hours in good safety." This mode of stating the commencement of the risk must commonly be supplied to assurances on ships outward bound; for, when assurance is made on the homeward risk, the beginning of the adventure is sometimes stated to be "immediately from and after her arrival at the port abroad; at other times, "from the departure; and, in short, it is very variable, depending upon the inclination of the assurer.

Seventhly, Of the various Perils and Risks against which the Underwriter assures.

The words now used, expressive of the assurer's risks, are very extensive, including "all perils of the seas, men of war, fire, enemies, pirates, rovers, thieves, jettisons, letters of mart and countermart, surprisals, takings at sea, arrests, restraints, and detentions, of all kings, princes, and people, of what nation, condition, or quality, soever; barratry of the master or mariners; and all other perils, losses, and misfortunes, that have or shall come to the hurt, detriment, or damage of the said goods and merchandises, and ship, or any part thereof."

The law is totally silent as to the description of *thieves* meant by the policy; whether the assurer undertakes as well against thefts committed by the master or mariners, as against thefts committed from without. That he is liable in the latter case, cannot be doubted.

In addition to these, it is frequently the practice to assure her, *lost or not lost*; in which, if the ship should be lost at the time of the assurance, still the underwriter, provided there be no fraud, is liable. The practice is peculiar to American and English policies, not being adopted by other nations.

Eighthly, The Consideration or Premium for the Risk or Hazard run.

This is always expressed to have been received at the time of underwriting: "We, the assurers, confessing ourselves paid the consideration due unto us for this assurance by the assured." This being subscribed by the underwriter, it is proper to inquire whether, if the premium were not actually paid at the time, he could afterwards maintain an action for it against the *assured*, who might then produce his subscription as evidence against himself. Questions upon policies of assurance stand most broadly upon the usage of the place where the policy is effected, and this question would, no doubt, be determined by usage.

The premium of consideration paid, given, or contracted for, *must*, like the risk, be inserted.

Ninthly, The Day, Month, and Year, on which the Policy is executed.

This insertion seems very necessary, because, by computing the date of the policy with the date of facts which happened afterwards, or are material to be proved, it will frequently appear whether there is any reason to suspect fraud or improper conduct on the part of the assured.

II. THE CONSTRUCTION OF THE POLICY.

In the construction of policies, two rules chiefly prevail, namely, to give effect to the *intentions* of the parties, and to the *usage of trade*, with respect to the particular voyages or risks to which the policy relates.

In a case so early as in the time of James II. a policy of assurance was construed to run until the ship had ended and was discharged of her voyage : for arrival at the port to which she was bound was not a discharge, *till she was unloaded*.

But, although this construction be right where the policy is general from A. to B., yet if it contains the words usually inserted—"and till the ship shall have moored at anchor twenty-four hours in good safety," the underwriter is not liable for any loss arising from seizure after she has been twenty-four hours in port, even if such seizure was in consequence of an act of barratry (such as *smuggling*) of the master *during the voyage*.

The ship *Success* was assured "*at and from Leghorn to the port of London, and till there moored twenty-four hours in good safety.*" She arrived the 8th of July at Fresh Wharf, and moored, but was the same day served with an order to go back to the Hope, to perform a fourteen days' quarantine. The men upon this deserted her ; and on the 12th of the month the captain applied to be excused going back, which petition was adjourned to the 28th, when the regency ordered her back ; and on the 30th she went back, performed the quarantine, and then sent up for orders to air the goods ; but, before she returned, the ship was burnt, on the 23d of August ; and the question was, whether the assurer was liable : Lord Chief Justice Lee ruled, that though the ship was so long at her moorings, yet it could not be said to be there in *good safety*, which must mean the opportunity of unloading and discharging.

So, where the ship *Hercules* was assured from Bilboa to Rouen, *and till twenty-four hours moored in safety there*, the ship arrived, an embargo having been previously laid on all English vessels in that port. The captain went on shore the day after his arrival, and the embargo was laid on his ship the next day. He was afterwards permitted to land the cargo, which he delivered to consignees, but the ship was *detained as a prize*. Lord Kenyon ruled, that she was as much within the power of the enemy as if a guard had been put on board the moment she arrived : she could not be said to be twenty-four hours, nor a minute, moored in safety, so far as relates to these plaintiffs ; for, immediately on entering the port, she was, to all intents and purposes, captured by the French.

But where a ship had arrived at the wharf on the 12th of January, and was laid on the outside of the tier, there being no room to lay her on the inside ; where the sails were unbent, topmasts struck, three anchors out, and she was also lashed to another ship, and so continued till the 19th, when several ships and a quantity of ice forced her adrift, and she was wholly lost : Lord Kenyon was of opinion she was completely moored on the 19th ; and, as the accident did not happen till above twenty-four hours after that time, the underwriters were not liable.

In an assurance upon *freight*, if an accident happens to the ship *before any goods* are put on board, which prevents her from sailing, the assured upon the policy cannot recover the freight which he would have earned if she had sailed.

But, if the policy be a *valued* policy, and *part* of the cargo be on board when such accident happens, the rest being ready to be shipped, the assured may recover to the whole amount.

So likewise, in an open policy on freight, *at and from London and Teneriffe to any of the West India Islands, (Jamaica excepted.)* The ship was under a charter-party to depart out of the river Thames, and proceed to Teneriffe, there to receive on-board 500 pipes of wine, to be delivered in the West-Indies, for the freight of which the freighters covenanted to pay 35s. per pipe. She sailed from London in ballast, and was captured before arrival at Teneriffe. The court held, that the instant the ship departed from the Thames, the contract for freight had its commencement, and the plaintiff was entitled to recover. That this case was different from *Tonge v. Watts*, where there was no commencement of the contract, because no goods had been shipped ; and resembled the case of *Montgomery v. Egginson*, inasmuch as, though different in their circumstances, in both there was a commencement of the contract.

When a ship is assured *at and from a place*, and it arrives at that place, as long as the ship is preparing for the voyage upon which it is assured, the assurer is liable ; but, if all thoughts of the voyage be laid aside, and the ship lie there five, six, or seven years, with the *owner's* privity, the assurer is not liable.

A ship was assured *at and from Jamaica to London* : she had also been assured from London to Jamaica generally, and was lost in coasting the island, after she had touched for some days at one port there, but before she had delivered all her outward bound cargo at the other ports of the island. The question was, when the homeward-bound risk commenced, and at what time the outward-bound risk determined ? A special jury, after an examination of merchants as to the custom, decided, that the outward risk ended when the ship had moored in any port of the island, and did not *continue* till she came to the last port of delivery.

This was afterwards confirmed by Lord Mansfield, who laid down this doctrine, that the outward risk *upon the ship* ended twenty-four hours after its arrival in the first port in the island to which it was destined ; but that the outward policy *upon goods* continues till they were landed.

And this law has been since corroborated by the decision of a cause before Lord Kenyon, in which it was determined, that the risk on the ship *ceased* after she had moored twenty-four hours in the first port of the island, for the purpose of unloading; and that a ship assured generally to any island, cannot be permitted to go round the whole island for the purpose of unloading her cargo.

But the most important cases upon questions of construction are the two following; in which the principles are laid down with so much accuracy and precision, that we detail them rather at length.

An action was brought upon a policy of assurance "on goods in a Dutch ship from Malagar to Gibraltar, *and at and from thence* to England and Holland, both or either; on goods, as hereafter agreed, beginning the adventure from the loading, and to continue till the ship and goods be arrived in England or Holland, and there safely landed." The agreement was, "that, upon the arrival of the ship at Gibraltar, the goods might be unloaded and re-shipped in one or more British ship or ships for England and Holland, and to return one *per cent.* if discharged in England." It appeared in evidence, that, when the ship came to Gibraltar, the goods were unloaded, and put into a *store-ship*, (which it was proved was always considered as a warehouse) and that there was then no British ships there. Two days after the goods were put into the store-ship, they were lost in a storm.

Lee, chief justice.—Policies are to be construed largely, for the benefit of trade and for the assured. Now, it seems to be a strict construction to confine this assurance only to the unloading and re-shipping, and the accidents attending this act. The construction should be according to the course of trade in this place; and this appears to be the usual mode of unloading and re-shipping in that place, viz. that when there is no British ship there, then the goods are kept in store-ships. Where there is an assurance of goods on board such a ship, that assurance extends to the carrying the goods to shore in a boat. So, if an assurance be of goods to such a city, and the goods are brought in safety to such a port, though distant from the city, that is a compliance with the policy, if that be the usual place to which the ships come. Therefore, as here is a liberty given of unloading and re-shipping, it must be taken to be an assuring under such methods as are proper for unloading and re-shipping. There is no neglect on the part of the assured, for the goods were brought into port the 19th, and were lost the 22d of November. This manner of unloading and re-shipping is to be considered as the necessary means of attaining that which was intended by the policy; and seems to be the same as if it happened in the act of unshipping from one ship to another. And as this is the known course of the trade, it seems extraordinary if it were not intended. This is not to be considered as a suspension of the policy: for, as the policy would extend to a loss happening in the unloading and re-shipping from one ship to another, so any means to attain that end come with in the meaning of the policy. The plaintiff had a verdict.

In an action upon a policy of assurance, the following case was stated for the opinion of the court: "The plaintiff being part-owner of the ship *Onslow*, an East India ship, then lying in the Thames, and bound on a voyage to China, and back again to London, assured it *at and from London to any port or place beyond the Cape of Good Hope, and back to London, free from average under ten per cent. upon the body, tackle, apparel, ordnance, ammunition, artillery, boat, and other furniture, of and in the said ship: beginning the adventure upon the said ship from and immediately following the date of the policy, and so to continue and endure until the ship shall be arrived as above, and there anchored twenty-four hours in good safety.* The perils mentioned in the policy were the common perils, viz. *of the seas, men of war, fire, &c.* The ship arrived in the river of Canton, in China, where she was to stay to clean and refit, and for other purposes. Upon her arrival there, the sails, yards, tackle, cables, rigging, apparel, and other furniture, were, by the captain's order, taken out of her, and put into a warehouse, or store-house, called a bank-saul, built for that purpose on a sand-bank, or small island lying in the said river, near one of the banks, called Bank-saul island, in order to be there repaired, kept dry, and preserved, till the ship should be heeled, cleansed, and refitted. Some time after this, a fire broke out in the bank-saul belonging to a Swedish ship, and communicated itself to another bank-saul, and thence to that belonging to the *Onslow*, and consumed the same, together with all the sails, yards, &c. belonging to the *Onslow*, that were therein. It was the *universal and well-known* usage, and has been for a great number of years, for all European ships which go on a China voyage, except Dutch ships, (who for some years past have been denied this privilege by the Chinese, and who look upon such a denial as a great loss) when they arrive near this Bank-saul island, in the river of Canton, to unrig ships, and to take out their sails, yards, tackles, cables, rigging, apparel, and other furniture, and to put them on shore on a bank-saul, built for that purpose on the said island, (in the manner that had been done by the captain of the *Onslow* on the present occasion) in order to be repaired, kept dry, and preserved, until the ship should be heeled, cleaned, and refitted. The ship arrived from her said voyage in the Thames, having been again rigged, and put in the

best condition the nature of the place and circumstances of affairs would permit. The question for the opinion of the court was, whether the assurers are liable to answer for this loss, so happening upon the bank-saul, within the intent and meaning of this policy."

The following unanimous opinion of the court was delivered by Lord Mansfield:—"By the express words of the policy, the defendants have assured the tackle, apparel, and other furniture, of the *Onslew*, from fire, during the whole time of her voyage, until her return in safety to London, without any restriction. Her tackle, apparel, and furniture, were inevitably burnt in China, during the voyage, before her return to London. The event, then, which has happened, is a loss within the general words of the policy; and it is incumbent upon the defendants to show, from the manner in which this misfortune happened, or from other circumstances, that it ought to be construed a peril which they did not undertake to bear. If the chance be varied, or the voyage altered, by the fault of the owner or master of the ship, the assurer ceases to be liable; because he is only understood to engage that the thing shall be done safe for fortuitous dangers, provided due means are used by the trader to attain that end. But the master is not in fault, if what he did was done in the usual course and just reasons. The assurer, in estimating the price at which he is willing to indemnify the assured against all risks, must have under his consideration the nature of the voyage to be performed, and the usual course and manner of doing it. Every thing done in the usual course must have been foreseen and in contemplation at the time he engaged: he took the risk, upon a supposition, that what was usual or necessary should be done. In general, what is usually done by such a ship with such a cargo, in such a voyage, is understood to be referred to by every policy, and to make a part of it, as much as if it were expressed. The usage, when foreseen, is rather allowed to be done, than what is left to the master's discretion, upon unforeseen events: yet if the master *ex justa causa*, go out of the way, the assurance continues. Upon these principles it is difficult to frame a question, which can arise out of this case, as stated. The only objection is that, they were burnt in a bank-saul, and not in the ship; upon land, not at sea, or upon water; and, being appertinent to the ship, losses and dangers ashore could not be included. The answer is obvious; first, the words make no such distinction; secondly, the intent makes no such distinction. Many accidents might happen at land, even to the ship. Suppose a hurricane to drive it a mile on shore: or, an earthquake might have a like effect; suppose a ship to be burnt in a dry dock; or, suppose accidents to happen to her tackle upon land, taken from the ship, while accidentally and occasionally refitting, as on account of a hole in its bottom, or other mischance; these are all possible cases. But what might arise from an accidental repair of the ship is not near so strong, as a certain necessary consequence of the ordinary voyage, which the parties could not but have in their direct and immediate contemplation. Here the defendants knew that the ship must be heeled, cleaned, and refitted, in the river of Canton; they knew that the tackle would then be put in the bank-saul; they knew it was for the safety of the ship, and prudent that, they should be put there. Had it been an accidental necessity of refitting, the master might have justified taking them out of the ship *ex causa justa*; but describing the voyage is an express reference to the usual manner of making it, as much as if every circumstance were mentioned. Was the chance varied by the fault of the master? It is impossible to impute any fault to him. Is this like a deviation? No, it is *ex justa causa* which always excuses. Had the assurers been asked whether the tackle should be put in the bank-saul, they must, for their own sakes, have insisted that it should. They would have reason to complain, if, from their not being put there, a misfortune had happened. In such a case the master would have been to blame; and, by his fault, would have varied the chance. They have taken a price for standing in the plaintiff's place, as to any losses he might sustain in performing the several parts of the voyage, of which this was known and intended to be one. Therefore, we are all of opinion, that, in every light, and in every view, of this case, in reason and justice, and within the words, intent, and meaning, of this policy, and within the view and contemplation of the parties to the contract, the assurers are liable to answer to this loss."

These decisions, notwithstanding the vast variety of their circumstances, are uniform in principle, and the judges always make a constant reference to the *usage of trade*.

This is confirmed by the cases of assurances upon *East India voyages*, in which the assurers have been held liable, not only for events which may possibly happen from the port of discharge to that of delivery, but also for all intermediate or country voyages. And this construction of East India policies prevails, whether the words of them be large and comprehensive, such as *with liberty to touch, stay, and trade, at any port or places whatsoever*, or restrained and limited, such as *to touch and stay at any port or place in this voyage*.—At the same time, though the general rule be so, yet the parties contracting may, by their own agreement, prevent such a latitude of construction. In order to do this, it is not necessary that the express words of exclusion should be inserted in the policy; but if, from the terms used, the court can collect, that such was the intention of the parties, that construction, which is most agreeable to their intention, will prevail.

When an assurance is made on one species of property, the damage sustained by loss of property, different from that named in the policy cannot be recovered. Thus a man, who has assured a cargo of goods, cannot recover the *freight* which he has paid for the carriage of that cargo; nor can an owner, who assures the *ship merely*, demand satisfaction for the loss of *merchandise* laden thereon, or ask from the assurers *extraordinary wages paid to the seamen, or the value of provisions consumed*, by reason of the detention of the *ship* at any port longer than was expected.

On a policy on a *ship*, sailors' wages or provisions are never allowed in settling the damages; for, if a ship is detained, in consequence of any injury received in a storm, though the underwriter must make good that damage, yet the assured cannot come upon him for the amount of wages or provisions during the time she was repairing.

But, on a policy on a ship and *furniture*, where the *provisions for the crew* were burnt, it was determined that *provisions for the crew* are comprehended under *furniture*, and that the underwriter was of course answerable for their loss.

In an assurance upon a Greenland ship, the value of *lines and tackle*, employed in the fishery, is not recoverable under a policy made upon the *ship, tackle, and furniture, &c.*

In order to entitle the assured to recover, the loss must be a direct and immediate consequence of the peril assured, and not a remote one.

If any of the terms used in the policy have by the usage of the trade, or in the common understanding between assurers and assured, acquired a peculiar sense, they are to be construed accordingly.—7 *Johns. Rep.* 385.

Except for the purpose of explaining the usage of trade, parol evidence is inadmissible to vary or contradict a policy.—3rd *Johns. Cas.* 1.

Thus, it appears that, the material rules, to be adhered to, in the construction of policies, are *the intention of the parties* entering into the contract, and *the usage of trade*.

III. PERILS OF THE SEA.

It may, in general, be said, that every thing happening to a ship, in the course of her voyage, by the intermediate act of God, without the intervention of human agency, is a peril of sea. Thus every accident happening by the violence of wind and waves, by thunder or lightning, by driving against rocks, by the stranding of the ship, or by any other violence which human prudence could not foresee, nor human strength resist, may be considered as a loss within the meaning of such a policy; and the assurer must answer for all damages sustained in consequence of such accident. But, if a ship be driven by stress of weather on an enemy's coast, and is there captured, it is a loss by capture, and not by perils of the seas.

In order to charge the underwriter for a loss by perils of the sea, the ship must be equipped with every thing necessary for the voyage; she must be seaworthy, have a sufficient crew, and a captain and pilot of competent skill. And, therefore, when a ship, homeward bound from Stettin to London, received on board a pilot from Orfordness, but dropped him at Half-way Reach in the River Thames before she had reached her moorings higher up in the river, and an accident afterwards happening by which the ship was lost, the underwriter on the ship and cargo was holden discharged from his liability, on account of there not being any pilot on board at that time, although it did not appear that the loss was directly imputable to the want of skill in those that navigated her.

In the case of *Rohl v. Parr*, the ship had been destroyed by a species of worms which infest the rivers of Africa; and an intelligent merchant swore that he had known many instances of this species of loss, but that the underwriters had invariably refused to pay. Lord Kenyon and the jury, upon this evidence, decided that it was not a loss by *perils of the sea*.

If a ship has been missing, and no intelligence received of her within reasonable time after she sailed, it shall be presumed that she foundered at sea.

There is no precise time after which a vessel that has not been heard of is to be presumed to be lost, but the presumption must depend upon the circumstances of the case. 2 *Johns. Rep.* 150.

The usual, and not the utmost length of the voyage, is the basis of the calculation. 1 *Caines*, 525.

If the vessel is obliged to put in for repairs, and is afterwards lost on the voyage, the insured is entitled to recover the partial loss from the previous damage, and general average thereon, in addition to the total loss. 10 *Johns. Rep.* 487.

Where the insurers took no risk in port but sea-risk, it was held that a loss occasioned by the vessel's being driven on shore, so that she could not be got off unless at an expense exceeding half her value, and where afterwards she was burnt by an armed force, was a loss by the perils of the sea, and not by burning. 11 *Johns. Rep.* 9.

And even in an action on a policy, in which there was a warranty *against captures and seizures*, (the ship never having been heard of after sailing) it was insisted, for the

defendant, that as captures and seizures were excepted, it lay upon the plaintiff to prove that the loss happened in the particular manner stated. Lord Chief Justice Lee said, it would be unreasonable to expect certain evidence of such a loss, where every body on board is presumed to be drowned; and all that can be required is, the best proof the nature of the case admits of, which the plaintiff has given. The jury found a verdict for the plaintiff.

IV. CAPTURE AND DETENTION BY PRINCES, OR FOREIGN POWERS.

A ship is to be considered as lost by *capture*, though she be never condemned at all, nor carried into any port or fleet of the enemy, and the assurer must pay the value. If, after condemnation, the owner recover or retake her, the assurer can be in no other condition, than if she had been retaken or recovered before condemnation. The assurer runs the risk of the assured, and undertakes to indemnify; he must therefore bear the *loss actually* sustained. So that, if, after condemnation, the owner recover the ship in her complete condition, but has paid for salvage, or been at any expense in getting her back, the assurer must pay the loss so actually sustained. No capture by the enemy can be so total a loss as to leave no possibility of recovery. The chance does not, however, suspend the demand for a total loss upon the assurer; but, in case of a recapture, justice is done by putting him in the place of the assured.

Where a capture has been made, whether it be legal or not, the assurers are liable for the charges of a *compromise* made, *bona fide*, to prevent the ship from being condemned as a prize, or to avoid the greater expense of prosecuting an appeal.

A vessel was captured and deprived of her papers; upon recapture and restoration, upon payment of salvage, it was held that the insured was justified in breaking up the voyage, and that there was a total loss by capture, the ship not being able to proceed without her papers.—10 Johns. 79.

After capture and recapture, the insurer is liable only for the salvage and for losses within the policy, but not for the expenses of an auction sale by the direction of the consignee of the insured.—1 Caines, 49.

He is liable for the expenses of prosecuting an appeal against captors, where he does not dissent after notice of the proceedings, though they surpass the amount of his subscription.—1 Caines, 276.

The jury, however, must decide as to the propriety of those expenses and the insurers' proportion.—Do.

Insurers are bound to pay any necessary and reasonable expenses occasioned by capture.

If an assurer underwrite property belonging to another country, between which and our own hostilities break out, subsequent to the policy being effected, which said property is captured, lost, or destroyed, during the war, the underwriter is not liable.

The underwriter is likewise answerable for all loss or damage arising to the assured, "by the arrests, restraints, and detentions, of all kings, princes, and people, of what nation, condition, or quality soever."

The only question then is, what shall be considered as such detention? Lord Mansfield has said, that the assured may abandon in case merely of an arrest or embargo by a prince, not an enemy; and, consequently such an arrest is also within the meaning of the word *detention*.—2 Burr. 696.

Detention in port on suspicion of a breach of neutrality is a loss within the policy.—2 Caines, Cas. 158.

Where a vessel chartered per month is detained by an embargo, the charterer cannot recover upon an insurance of the cargo the hire of the vessel while detained.—3 Caines, 155.

An embargo is an *arrest* laid on ships or merchandise by public authority, or a prohibition of state commonly used to prevent foreign ships from putting to sea in time of war, and sometimes also to exclude them from entering our ports. Ships are frequently detained to serve a prince in an expedition, and for this end have their loading taken out, without any regard to the colours they bear, or the princes to whose subjects they belong; and this is an arrest within the meaning of the policy.

In case of a detention by a foreign power, which in time of war, may have seized a neutral vessel at sea, and carried it into port to be searched for enemy's property, all the charges consequent thereon must be borne by the underwriter; and whatever costs may arise from an improper detention, must always fall upon them.

The South Carolina, an American ship, of Charleston, bound for London, was assured by the defendant. On her return, she was captured by a French privateer, and carried into L'Orient. Being afterwards condemned on account of her not being provid-

ed with a list of the crew, according to the French ordinances and regulations, the defendant refused to pay the loss. But as she was furnished with all the papers an American ship ought to have, the plaintiffs obtained a verdict.

In the following case, the plaintiff obtained a verdict on the principle "that the condemnation of any vessel by a foreign court of admiralty is conclusive only here as to the *express ground* of the sentence." The policy of the American ship *Mercury* was subscribed by the defendant as an underwriter for £200. On her passage from Virginia to Bremen, she was captured by a French privateer, and carried into Nantes, where she was condemned by a French court of admiralty, "as belonging to the enemies of the French Republic." But as the ship was provided with all the proper and usual documents, it was held that the underwriters were responsible.

But, though an underwriter is liable for all damages arising to the owner of the ship or goods from the restraint or detention of princes, yet that rule is not extended to cases where the assured navigates against the laws of those countries, in the ports of which he may chance to be detained, or to cases where there shall be a seizure for non-payment of customs.

If indeed any of those acts were committed by the master of the ship, without the knowledge of the assured, the underwriter would be liable, not for losses by *detention*, but for a loss by the barratry of the master.

There seems to be very little doubt that an underwriter is liable to pay damage arising by the detention or seizure of ships by the government of the country to which they belong; for, an embargo had been laid by Lord Hood on all shipping in Barbadoes, and it was never doubted that the assurer was liable for any loss which might have been sustained by such detention, provided the loss had happened to any of the property specifically assured. If the ship be detained by the order of the state before her departure for the voyage, but *after the risk* commenced, the assurer, by our law, is liable for the damage occasioned by such detention, as the words of the policy do in themselves import no restrictions to restraints and embargoes by foreign potentates only.—*Rotch v. Edie*; 6 Term. Rep. 413.

Although the words of this part of the policy are, "*arrests, restraints, and detentions, of all kings, princes, and people, of what nation, condition, or quality soever*"; yet the word *people* must be understood as applying to those people who are the ruling power of the country, and not to any assemblage or people who arrest the ship in a violent and riotous manner.

Before the assured can recover against the underwriter in cases of detention, he must first *abandon* to the assurers his right, and whatever claims he may have to the goods assured.

V. BARRATRY OF THE MASTER OR MARINERS.

Barratry is committed, when the master of the ship or the mariners cheat the owners or assurers, whether it be by running away with the ship, sinking her, deserting her, embezzling the cargo, or by carrying a ship, a different course from their orders. These definitions are so very comprehensive, that they seem to take in every case of barratry. From a review of the decisions on this subject, it appears, that any act of the master, or of the mariners, which is of a criminal nature, or which is grossly negligent, tending to their own benefit, to the prejudice of the owners of the ship, *without their consent or privity*, is barratry.

It is not necessary, in order to entitle the assured to recover for barratry, that the loss should happen in the *act of barratry*; that is immaterial whether it take place *during the fraudulent voyage*, or *after* the ship has returned to the regular course; for the moment the ship is carried from its right track, with an evil intent, barratry is committed.

But the loss, in consequence of the act of barratry, must happen *during the voyage assured*, and within the time limited by the policy; for, if the captain be guilty of barratry by smuggling, and the ship afterwards arrive at the port of destination, and *be there moored at anchor twenty-four hours in good safety*, the underwriters are not liable, if, after this, she should be seized for that act of smuggling.

The sailing out of port, without paying duties, whereby the ship is subjected to forfeiture, is *barratrous*.

If the act of the captain be done with a view to the benefit of the owners, and not to advance his own private interest, no barratry is committed. To constitute barratry, it must be *without the knowledge or consent of the owners*.

It need not be made to appear affirmatively that the master was benefitted by the fraudulent act, the law will intend that it was done to the injury of the owner.—2nd *Caines*, 57.

Breach of an embargo is an act of barratry in the master.

Barratry implies something contrary to the duty of masters and mariners in the re-

laden in which they stand to the owners of the ship; and, although they make themselves liable to the owners of goods, for misconduct, yet not for *barratry*, which can be committed against the owners of the ship, and them only.

If the owner be also the master of the ship, any act, which, in another master, would be construed *barratry*, cannot be so in him; but, where the person, who acts as master, is proved to have carried her out of her course for fraudulent purposes of his own, this is *prima facie* evidence of *barratry*; and it is incumbent on the underwriter, if he can, to prove that such person was owner as well as master.

The ownership of the master is a fact to be established by the insurer.—3 *Caines*, 1.

If the owner of a vessel let her on charter, retaining the management, and hiring and paying the master and crew, and furnishing them with provisions, the hirer is not considered the owner, *pro hac vice*, but the original ownership continues, and if the captain at the request of the hirer, go out of his course, it is *barratry*.—1 *Johns*, 229.

But if it be let to the master for a certain time, and he covenant to victual and man her at his expense, he is to be deemed the owner, and no act of his will amount to *barratry*, 8 *Johns*, 272; and the insurer will not be liable to an innocent owner of goods on board.—*Ibid*.

If the parties insert in the policy that the assurance shall be upon the ship, in any lawful trade, and the captain commit *barratry* by smuggling, the underwriters are answerable. For, otherwise, the word *barratry* would be struck out of the policy; and most clearly the stipulation in the policy, respecting the employment of the ship in a lawful trade, must mean, as was said by Lord Kenyon, in delivering the unanimous opinion of the court, the trade on which she is sent by the owners.

A very accurate definition of one species of *barratry* has been laid down in the case of *Ross v. Hunter*. This was an assurance on goods on board the *Live Oak*, at and from Jamaica to New Orleans. She sailed on the voyage assured in May, 1783; and arrived in June following, at the mouth of the river Mississippi. When the captain had got thus far, he dropped anchor, and went in his boat up the river to New Orleans; and, on his return, without carrying the ship to her port of destination, stood away for the Havana; after his departure whence, he was never afterwards heard of. A verdict was found for the plaintiff against the underwriter. Mr. Justice Buller said, in one sense of the word, *barratry* is a deviation by the captain, for fraudulent purposes of his own. Then the question in this case is, whether the captain did deviate with a fraudulent view. The jury have thought that he had a fraudulent intention, and therefore the verdict is right.

A master endowed with a discretionary power, of making the best purchases with dispatch, will not be warranted in trading with an enemy's settlement (although with their permission) unauthorized by his owners, in consequence of which the ship was seized and confiscated. Nor does it make any difference that the benefit of his owners was intended; but the act is *barratry*.

So also, if the master of a ship, contrary to the instructions of his owner, cruise for and take a prize, and the vessel is afterwards lost, he is guilty of *barratry*, even though he prosecute the prize in the court of admiralty in the name of himself and his owner, and though the owner had procured a letter of marque solely with a view to encourage seamen to enter, and without any intention of using it for the purposes of cruising; for, whatever is done by the captain to defeat or delay the performance of the voyage, is *barratry* in him, it being to the prejudice of the owners; and, though the captain might conceive what he did was for their benefit, yet, if he acted contrary to his duty to them, it is *barratry*.—*Moss v. Byron*, 6 Term Rep. 379.

It has been, however, contended, that, if a vessel deviated from the voyage assured, through the ignorance of the captain, it amounted to *barratry*. But the court of King's Bench, after considerable argument, were unanimously of opinion, that there must be fraud to constitute *barratry*.

VI. PARTIAL LOSSES AND ADJUSTMENT.

A total loss does not always mean that the property assured is irrecoverably lost or gone; but that, by some of the perils mentioned in the policy, it is in such a condition as to be of little use or value to the assured, and so much injured as to justify him in abandoning it to the assurer, and in calling upon him to pay the whole amount of his assurance, as if a total loss had actually happened. But a total loss is so intimately blended with the doctrine of abandonment, that we shall refer what may be said on the subject till we come to the head of Abandonment. Here it will be sufficient to remark, that, in case of a total loss, literally so called, the prime cost of the property assured, or the value mentioned in the policy, must be paid by the underwriter at least as far as his proportion of assurance extends. The assurer has nothing to do with the market: he has no concern in any profit or loss which may arise to the merchant from the sale of the goods. If they be totally lost, he must pay the value of the thing he assured at the outset; he has no concern in any subsequent value. So, if part of the cargo, capable

of a several and distinct valuation at the outset, be totally lost, as, if there be one hundred hogsheads of sugar, and ten happen to be lost, the assurer must pay the prime cost of those ten hogsheads, without any regard to the price for which the other ninety may be sold.

The word average in *policies* has two significations; it means "a contribution to a general loss; and it also is used to signify "a particular partial loss." That which means a contribution to a general loss" will be treated of in the next division.

Partial loss (the subject of our present inquiry) implies a damage, which the ship may have sustained, in the course of her voyage, from any of the perils mentioned in the policy; when applied to the cargo, it means the damage which goods may have received, without any fault of the master, by storm, capture, stranding, or shipwreck; although the whole, or the greater part thereof, may arrive in port. These partial losses fall upon the owners of the property so damaged, who must be indemnified by the underwriter. But the underwriters of New-York expressly declare, as appears from a memorandum at the foot of the policy, that they will not answer for partial losses, not amounting to 5 per cent. This clause was intended to prevent the underwriters from being continually harassed by trifling demands. But, at the same time that they provide against trifling claims for partial losses, they undertake to indemnify against losses, however inconsiderable, that arise from a general average.

When we speak of the underwriters being liable to pay, whether for total or partial losses, it must always be understood, that they are liable only in proportion to the sums which they have underwritten. Thus, if a man underwrites \$100 upon property valued at \$500, and a total loss happen, he shall be answerable for \$100, and no more: that being the amount of his subscription; if only a partial loss, amounting to \$60 or \$70 per cent. upon the whole value, he shall pay \$60 or \$70, being his proportion of the loss.

As to the question of how the proportion of damage is to be ascertained, the grand and leading case is that of *Lewis and another v. Rucker*.—2 Burr. 1167

The court, after hearing the matter duly debated, took time to advise, and their unanimous opinion was delivered, to the following effect, by

Lord Mansfield.—"This was an action brought upon a policy, by the plaintiffs, for Mr. James Bourdieu, upon the goods on board a ship, called the Vrow Martha, at and from St. Thomas's Island to Hamburg, from the loading at St. Thomas's Island till the ship should arrive and land the goods at Hamburg. The goods, which consisted of sugars, coffee, and indigo, were valued; the clayed sugars at 30*l.* per hogshead; the Muscovado sugars at 20*l.* per hogshead; and the coffee and indigo were likewise respectively valued. The sugars were warranted free from average, (that is, partial loss,) under 5*l.* per cent., and all other goods free from average under 3*l.* per cent., unless general, or the ship be stranded.

In the course of the voyage, the sea water got in; and when the ship arrived at Hamburg, it appeared that every hogshead of sugar was damaged. The damage the sugars had sustained made it necessary to sell them immediately; and they were accordingly sold; but the difference between the price which they brought, on account of the damage, and that which they might then have been sold for at Hamburg, if they had been sound, was as 20*l.* 0*s.* 8*d.* per hogshead is to 23*l.* 7*s.* 8*d.* per hogshead: (that is, if sound, they would have been 23*l.* 7*s.* 8*d.* per hogshead;) as damaged, they were only worth 20*l.* 0*s.* 8*d.* per hogshead.

The defendant paid money into court, by the following rule of estimating the damages: *he paid the like proportion of the sum, at which the sugars were valued in the policy, as the price of the damaged sugars bore to sound sugars at Hamburg, the port of delivery.* And the only question was, by what measure or rule the damage, upon all the circumstances of the case, ought to be estimated.

The special jury (amongst whom there were many sensible merchants) found the defendant's rule of estimation to be right, and gave their verdict for him.

And it is now the duty of the court to say, whether the jury have estimated the damage by a proper measure. This is the rule by which it was estimated.

The defendant takes the proportion of the difference between sound and damaged at the port of delivery, and pays that proportion upon the value of the goods specified in the policy; and has no regard to the price in money, which either the sound or the damaged goods bore in the port of delivery.

To this rule an objection has been made: that it is going by a different measure in case of a partial loss, from that which governs in case of a total; for, upon a total loss, the prime cost or value in the policy must be paid. The answer to such objection is, that the distinction is founded on the nature of the thing. Assurance is a contract of indemnity, against the perils of the voyage, to the amount of the value in the policy; and, therefore, if the thing be totally lost, the assurer must pay the whole value which he assured at the outset. But where a part of the commodity is spoiled, no measure can be taken from the prime cost to ascertain the quantity of the damage sustained. The only way is, to

whether the thing be a third or fourth worse than the sound commodity; and then you pay a third or fourth of the prime cost, or value of the goods so damaged.

We are of opinion that, the rule by which the jury have gone is the right measure."

Wherever there is a specific description of casks or goods, the rule of estimating the average is as above stated; but, in a subsequent case, the property, which consisted in various goods taken from an enemy, was valued at the sum assured, and part was lost by perils of the sea; consequently the same rule could not be adopted, on account of the nature of the thing assured. The only mode was, to go into an account of the whole value of the goods, and to take a proportion of that sum to the amount of the goods lost.

The outcast usage has been to let the valuation fixed in the policy remain, in case of a total loss; unless the defendant can show that the plaintiff had a colourable interest only, or that he has greatly over-valued the goods; but a partial loss opens the policy, so that the value of the goods must be proved.

Some goods are in their nature perishable; and therefore the underwriters have, by express words inserted in their policy, declared, that they will not be answerable for any partial loss happening to certain articles, unless it arise by way of a general average. Upon this clause it is necessary to observe, that corn is a general term, and includes many particulars; peas and beans have been held to come within the meaning of the word.

But in a trial, at Guildhall, in the Common Pleas, Mr. Justice Wilson was of opinion, that the term *salt* did not include *saltpetre*.

There cannot be a total loss of these goods but by the *absolute destruction* of the thing assured; for, while it *specifically* remains, though wholly unfit for use, and though the loss of it exceeds the sum to be paid for the freight of it, this is not such a loss as is to be borne by the underwriters. *Wilson v. Smith*, 3 Burr. 1550.

The case of *M. Andrews v. Vaughan*; was an assurance on *fruit* from Lisbon to London. The ship was captured and re-captured, brought into Portsmouth, and afterwards arrived at London: but the cargo, by the capture, re-capture, and consequent length of the voyage, had sustained a damage of £80 *per cent*. The assured never heard of the capture till the ship was safe at Portsmouth, and then he offered to abandon. Lord Kenyon said, "as there had been no stranding, there cannot be a recovery for a partial loss. Had the plaintiff heard of the capture *only*, he might have abandoned; but he heard nothing of the accident till the ship was in safety. The cargo arrives at the port of destination, and though it is good for very little, yet it has been invariably holden, that either the voyage must be lost, or the cargo (if it be one of those mentioned in the memorandum) must be wholly and actually destroyed to intitle the insured to recover." The plaintiff was accordingly nonsuited.

For, as to these articles, the underwriters are liable for partial losses in case of a general average.

The damage sustained by a partial loss must be ascertained by the difference between the respective gross proceeds of the same goods when sound and when damaged, and not the net proceeds.

When the quantity of damage sustained in the course of the voyage is known, and the amount, which each underwriter of the policy is liable to pay, is settled, it is usual for the underwriter to endorse on the policy, "*adjusted this loss at so much per cent.*" or some words to the same effect.—This is called an adjustment.

After an adjustment is signed by the underwriter, if he refuse to pay, the owner has no occasion to go into a proof of his loss, or any of the circumstances respecting it, unless fraud were used in obtaining the adjustment; or unless there had been some misconception of the law or fact upon which it was made.

If any assurer pay money for a total loss, and in fact it be so at the time of adjustment; if it afterwards turn out to be only a partial loss, he shall not recover back the money so paid to the assured; for, substantial justice is done by putting him in the place of the assured, and giving him all the advantages that arise from the salvage.—4 Burr 1766.

An adjustment made in a foreign country according to the laws of that country, is not conclusive as between parties who have entered into the contract here.—3 John. Cas. 178.

An adjustment is conclusive unless some mistake on the part of the insurer, or some fraud in the insured can be shown.—1 Caines, 32.

An adjustment made by the agent of the insurer does not bind him so far, but that he may show it to be erroneous.—1 Caines, 444.

If the goods be valued in the policy at so much per lb., their weight must be estimated according to the standard of the place where the contract was made.—2 Caines, 30.

The premium may be resorted to as a guide to discover the amount intended to be insured.—10 Johns. 79.

In an open policy or cargo the invoice price of goods is the value which the insured can recover upon a total loss, and that without any deduction for the drawback on exportation.

By the invoice price of goods, is meant the prime cost. The insured in an open policy cannot charge commissions on the purchase of goods by himself, though he may add the premium of insurance.—10 *Johns*. 273.

A total loss and an average loss cannot be recovered under the same policy.—1 *Johns*. 249.

The Jury may allow interest on the amount of a partial loss.—1 *Johns*. 315.

In estimating the loss in case of repairs, the insurer is entitled to a deduction $\frac{1}{2}$ new for old, whether the vessel be old or new.—11 *Johns*. 315.

It is the duty of the master to cause an adjustment upon his arrival at the destined port, and he has a lien upon the cargo for the amount of the contribution.—11 *Johns*. 323.

VII. GENERAL AVERAGE.

Whatever the master of a ship does in distress for the preservation of the whole, in cutting away masts or cables, or in throwing goods overboard to lighten his vessel, which is what is meant by jettison or jetson, is permitted to be brought into a general average: in which all who are concerned in ship, freight, and cargo, are to bear an equal or proportionable part of the loss of what was so sacrificed for the common welfare; and it must be made good by the assurers in such proportions as they have underwritten.

In order to make the act of throwing the goods over-board legal, the ship must be in distress, and the sacrificing a part must be necessary to preserve the rest.

If a ship ride out the storm, and arrive in safety at the port of destination, the captain must make regular protests, and must swear, in which some of the crew must join, that the goods were cast over-board for no other cause but for the safety of the ship and the rest of the cargo.

There can be no contribution (which is another word used frequently for this species of *average*) without the ejection of some goods, and the saving of others: but it is not always necessary for the purpose of contribution, that the ship should arrive at the port of destination.

If the jettison does not save the ship, but she perish in the storm, there shall be no contribution of such goods as may happen to be saved; because the object for which the goods were thrown overboard was not attained. But if the ship, being once preserved by such means, and continuing her course, should afterwards be lost, the property saved from the second accident shall contribute to the loss sustained by those whose goods were cast out upon the former occasion.

It is hardly necessary to state, with minuteness, the various accidents and charges that will entitle the party suffering to call upon the rest for a contribution; because we may refer them all to this principle, that all losses sustained, and expenses incurred, voluntarily and deliberately, with the view to prevent a *total loss* of the ship and cargo, ought to be equally borne by the ship and her remaining lading. Such, for instance, is the damage sustained in defending the ship against an enemy or pirate: such as the expense of curing and attendance upon the officers or mariners wounded in such defence; and such also is the sum which the master may have promised to pay for the ransom of his ship to any privateer or pirate, when taken. A master who has cut his mast, parted with his cable, or abandoned any other part of the ship and cargo in a storm, in order to save the ship, is well entitled to this compensation: but if he should *lose* them by the storm, the loss falls only upon the ship and freight; because the tempest only was the occasion of this loss, without the deliberation of the master and crew; and it was not done with a view to save the ship and lading. Upon the same principle it is established, that, when a ship arrives at the mouth of a harbour, and the master, finding that his ship is too heavy laden to sail up, is obliged to put a part of the cargo into hoys and barges, the owners of the ship and of the goods that remained are obliged to contribute if the lighters perished. But if the ship should be lost, and the lighters saved, the owners of the goods so preserved were not to contribute to the proprietors of the ship and cargo lost.

The difference is this, the lightening of the ship was an act of deliberation for the general benefit: whereas the circumstance of the lighters being saved, and the ship lost, was accidental, and no way proceeding from a regard for the whole.

It is not only the value of the goods thrown over-board that must be considered in a general average, but also the value of such as receive any damage by wet, &c., from the jettison of the rest.

If a ship be taken by force, carried into some port, and the crew remain on board to take care of and reclaim her, not only the charges of reclaiming shall be brought into a general average, but the wages and expense of the ship's company during her arrest, from the time of her capture, and being disturbed in her voyage.

But sailors' wages and victuals, when they are under the necessity of performing qua-

rantine, (in which case the master would have been obliged to maintain and pay them, though his vessel had arrived only in ballast,) do not come into general average, yet charges, occurring by an extraordinary quarantine, shall be brought into a general average.

Whether the extraordinary wages and victuals, expended during the detention by a foreign prince not at war, ought to be brought into a general average, so as to charge the underwriter, has never been expressly determined, although it seems to be the general opinion that they should.

The expenses attending the detention of a vessel by an embargo are the subject of particular average only.—3 *Caines*, 155. The wages fall inclusively on the freight.—7 *Johns*, 431.

A jettison of goods on deck, although expressly mentioned in the policy, cannot be brought into general average; not so as to the ship's boat.—3 *Johns*, 178.

The wages and provisions of the crew, during the detention of a captured vessel, may be brought into general average.—1 *Caines*, 573.

So if compelled to put into a port to refit, by stress of weather, from the moment of bearing away, until the period of sailing again in prosecution of the voyage.—2 *Caines*, 274.

The expenses of unloading, loading, storage, and repairing, are also subjects of general average in the above case; and if there is a total loss, after the expenses have been incurred, they must be paid by the insurer, in addition to the total loss.—8 *Johns*, 307.

If a ship, in a case of extremity, should be voluntarily run ashore, and afterwards should be got off and perform the voyage, the damages caused by the stranding are subjects of general average; but if the ship be destroyed, and the cargo saved, the cargo is not bound to contribute.—9 *Johns*, 9.

If a vessel has been injured, on her voyage, by tempests, but arrives and delivers her cargo, the expenses during her detention for necessary repairs, viz. wages and provisions, are not to be brought into general average.—11 *Johns*, 815.

So, likewise, where a ship is obliged to go into port for the benefit of the whole concern, the charges of loading and unloading the cargo, and taking care of it, and the wages and provisions of the *workmen hired for the repairs*, become general average.

By the ancient laws of Rhodes, Oleron, and Wisbuy, the ship and all the remaining goods shall contribute to the loss sustained. The most valuable goods, though their weight should have been incapable of putting the ship in the least hazard, as diamonds or precious stones, must be valued at their just price in this contribution, because they could not have been saved to the owners but by the ejection of the other goods. Neither the persons of those in the ship, nor the ship provisions, nor the respondentia-bonds, suffer any estimation: nor does wearing apparel in chests and boxes, nor do such jewels as belong to the person merely; but if the jewels are a part of the cargo, they must contribute.

Those who carry jewels by sea ought to communicate that circumstance to the master; because the care of them will be increased in proportion to their worth, to prevent them being thrown over-board promiscuously with other things; and hence their preservation will be a common benefit.

The wages of sailors are not to contribute to the general loss: a provision intended to make this description of men more easily consent to a jettison, as they do not then risk them at all, being still assured that their wages will be paid.

The way of fixing a right sum, by which the average ought to be computed, can only be by examining what the whole ship, freight, and cargo, if no jettison had been made, would have produced net, if they all had belonged to one person, and been sold for ready money. And this is the sum whereon the contribution should be made, all the particular goods bearing the net proportion.—1 *Magens*, 69.

Gold, silver, and jewels, contribute to general average, according to their full value, and in the same manner as any other species of merchandise.

The contribution is in general not made till the ship arrive at the place of delivery; but accidents may happen, which may cause a contribution before she reach her destined port. Thus, when a vessel has been obliged to make a jettison, or by the damages suffered, soon after sailing, is obliged to return to her port of discharge, the necessary charges of her repairs, and replacing the goods thrown overboard, may then be settled by a general average.

From the result of the adjoined action, this conclusion is deducible:

If A. let his ship to B., who engages to keep it in repair during the whole time of the voyage; which A. is to receive freight at the return of the ship; and if, for safety, it be necessary to refit at some port, the expense of refitting must be borne by A.; nor is B. liable, if he have an interest in the cargo, to contribute his proportion as in a general average.

The plaintiff Jackson, owner of the *Britannia*, let her to hire, in 1796, to the defendant, for a voyage from London to India and back again. The ship arrived safely at Bengal. On her return, a partial jettison being necessary for the general safety, it was performed by throwing overboard some spare materials and part of the cargo. Thus

lightened, she arrived in Table-Bay, at the Cape of Good Hope, 16 Feb. 1797. In pursuance of the opinion expressed by the agents for all parties, the ship was surveyed and repaired. The amount of the repairs and other incidental charges thence accruing, was £4,395. 4s. 6d. *Qu.* Is the defendant liable to such general average as arises from the goods thrown overboard, or, also, to general average on the repairs, &c., at the Cape of Good Hope?

The defendant not to bear any part of the expense incurred at the Cape.

It is necessary here to add, that, as all sums which are paid on account of general average may be recovered by action from the underwriters, so any person, whose goods have been thrown overboard, or who had expended money, for the general preservation of ship and cargo, may obtain repayment by application to a court of equity for a general contribution.

The following EXAMPLES of adjusted Averages are here subjoined, having received the Approbation of some experienced Merchants.

Average accruing to the ship Sea-horse, from Riga to London in 1782, for assistance in getting off the strand of Elsinure.

To sundry charges paid at the Sound for lighters and assistance in getting the ship off		\$ 120.00
Protests and postages		2.00
		<u>\$ 122.00</u>
Should the ship arrive at London, she will make freight		\$ 700.00
Wages for all the people, 1 month and 10 days	\$139.50	
Victuals for ditto	110.50	<u>250.00</u>
Freight to contribute		450.00
Ship Sea-horse valued at		4000.00
Freight valued at		450.00
F. J. for value of hemp, as per invoice		6000.00
D. N. for value of flax		1000.00
T. R. for value of iron		350.00
		<u>\$ 11,800.00</u>

If \$11,800 loss give \$122 what will \$100 loss give?

Answer—\$ 1.03 $\frac{39}{100}$ or nearly $\frac{3}{8}$ per cent.

The ship must bear \$4000 at \$1.03 $\frac{39}{100}$ (which the assurers return)	\$ 41.36
Freight, \$450 at \$1.03 $\frac{39}{100}$ per cent	4.65
F. J. pays the captain for \$6000 at the same rate	62.03
D. N. pays the same for \$1000	10.34
T. R. pays the same for \$350	3.62
	<u>\$ 122.00</u>

The Mary, Capt. T., partly laden with goods, sailed in May, 1821, from New-York, bound to Boston. She sailed the 3d. of that month, and, the next day a heavy gale of wind arose contrary, insomuch that it obliged the captain to bear away for New-London; but, night coming on, and the gale increasing, and it being so dark that it was unsafe to continue running in such a dangerous place, the captain judged it best to bring the ship to an anchor, which he accordingly did in 15 fathoms water. Before the ship had been at anchor half an hour she began to drive; and, as she still kept driving, with both anchors a-head, and the wind blowing stronger and stronger, they found it impossible to purchase their anchors: then the captain and ship's company judged it safest to cut the cables, in order to save their own lives and the ship and cargo, and take their chance in running into New-London: luckily they got safe in, and the weather abating, they brought up with a small anchor.

The Mary then wanted cables and anchors before she could proceed; the master, therefore, went directly on shore, bought them, and paid the following sums:

General Average.

97

Protest		\$ 2.00
Two new cables and buoy ropes and two buoys	\$150	
One-third always deducted for new	50	100.00
Two anchors		42.00
Charges in getting them on board, &c		6.00
		<u>\$ 150.00</u>

As the cables were cut away for preservation of ship and cargo, it must be a general average, and both must contribute to pay the damages sustained. The captain made the following average bill, on his arrival at Boston, in order to recover the damages.

Average accrued to the Mary, for the loss of her anchors and cables, in prosecuting her voyage from New-York to Boston, 1821.

Schooner Mary valued at	\$ 1600.00
Freight (after wages and victuals deducted)	150.00
O. P.'s value of goods	1400.00
V. R.'s value of goods	450.00
	<u>\$ 3600.00</u>

If \$3600 loss gives \$150, what will \$100 loss give?

Answer.—\$4.16 $\frac{2}{3}$ per cent.

The ship must bear \$1600 at 4.16 $\frac{2}{3}$ per cent.	\$ 66.66
The freight must bear \$150 at the same	6.25
O. P. must pay the captain, at Boston for \$1400, at the same	58.34
V. R. must pay for \$450 at the same	18.75
	<u>\$ 150.00</u>

Having received \$77.09 of the owners of the goods, at Boston, the captain sends his protest and average-bill to his owner to receive of the underwriters their shares of the loss upon the *ship and freight*.

Observe, if a ship had been riding in ordinary gale of wind, and the cables had parted, that loss would have fallen upon the owners; for the underwriters are not liable to pay for wear and tear.

A loaded ship met with such exceeding bad weather, that the master and mariners found it impossible to save her without throwing part of her cargo over-board, which they are authorized to do for preservation. Being thus necessitated, they threw such goods over-board as lay nearest at hand, and lightened the ship of ten casks of hardware and thirty hogshead of sugar, which they judged sufficient to keep her from sinking. Soon after that, the ship arrived at her destined place, and then an average-bill was immediately made, in order to adjust the loss, and to pay the proprietor of those goods which were thrown over for the good of the whole.

Average accrued to the ship ——— for goods thrown overboard, for preservation of the ship, freight, and cargo.

Ship valued at	\$ 2000.00
Freight (wages and victuals deducted)	200.00
J. R.'s value of goods	6000.00
J. P.'s value of goods	300.00
R. F.'s value of goods	1500.00
A. W. for 30 hogsheads of sugar	800.00
L. L. for 10 casks of hardware	1200.00
	<u>\$ 12000.00</u>

If \$12000 loss give \$2000, what will \$100 loss give?

Answer.—\$16 66 $\frac{2}{3}$ per cent.

Mr. A. W.'s goods, thrown over-board, were valued at	800.00
Mr. L. L.'s goods, ditto	1200.00
	<u>\$ 2000.00</u>

The ship must pay to A. W. and L. L. for \$2000, at \$16 66 $\frac{2}{3}$ per cent.	333.33
The freight \$200, at \$16 66 per cent.	33.33
J. R. for \$6000 at the same	1000.00
J. P. for \$300 at the same	50.00
R. F. for \$1500 at the same	250.00
	<hr/> \$ 1666.66

A. W. and L. L. receive, of the owners of the goods saved, and of the ship's owners or captain, \$1666 66 for the value of their goods thrown over-board; which they divide thus :

If \$2000 receive \$1666 66 what will \$800?

	<i>Answer</i>	\$ 666.67
Assurers pay for \$800 at \$1666 $\frac{2}{3}$ per cent.		133.33
		<hr/> \$ 800.00

A. W. receives of the underwriters \$16.66 $\frac{2}{3}$ per cent. for the sum that he assured, and of the owners of what was saved \$666 66, which is equal to the loss he sustained by his property being thrown overboard.

L. L. receives of the owners of the ship and goods preserved	1000.00
And of the assurers, for the \$1200 which he had assured, at \$16.66 $\frac{2}{3}$ per cent.	200.00

Value of L. L.'s property	<hr/> \$ 1200.00
---------------------------	------------------

It is usual for the owners of goods preserved, and also for the owner of the ship, to pay their average to the sufferers on receipt of their goods and on delivery of the ship; their redress being upon the assurers, who must return the same.

The Mary, Captain Thompson, at Havana, bound to New-York, sailed with a fair wind, which continued for some days, when she was boarded by pirates, who forcibly took away six large guns, two cables, two anchors, much cabin-furniture, and one compass, leaving the ship without other damage. A violent storm afterwards arose, which disabled the ship so much, that the men, who laboured hard at the pumps, could scarcely keep her from sinking. This continued so long, that the men, wearied out, gave themselves up for lost, and discontinued their labour. The captain supplied them with wine, and, to animate them, promised a gratuity of 20 dollars to each man if they brought the ship safe into port. This gave the men such spirits, that, though they lost all their masts, they brought the ship safe to New-York under jury-masts, &c.

Here was a *general* and a *particular* average. But, although the gratuity given to the seamen was to preserve both ship and cargo, and was admitted into a general average, it was done so only as a matter of favour, and not of right. What the pirates stole, and other damages done to the ship, must make a particular average.

The sloop Christian-and-Betsey, Captain Watson, on her passage from St. Ubes to New-York, met with a very heavy gale of wind, the sea breaking over her, and the vessel making much water; the captain determined on *cutting away* the jib, as he could not take it in; but, before that could be done, a sea struck the vessel, and *broke the bowsprit*. The wreck of the bowsprit, jib, &c., broke the lashing of the larboard-anchor, and carried it and the cable over-board. In order to preserve ship and cargo, he cut the whole of this wreck away. During the said gale of wind, the masts having lost great part of their support in the loss of the bowsprit, he prevailed on one of his men, for a gratuity of five guineas, to go aloft, and cut away the topsail, topgallant-sail, yards, mast, and rigging; and, at last, the vessel reached her port of delivery.

Had the jib been *cut away*, it would have been general average; and it was only under the particular circumstances of being carried away, while that was in contemplation, it was allowed as a particular average on the ship, as was likewise the bowsprit. The entangling with the anchor and cable, though a consequence of the above, yet being *cut away*, came into general average, as did the topmast, &c. The gratuity to the seaman was not allowed, on the principle that a seaman is bound, by his duty and wages, to do *all* in his power for the good of the ship, and he can therefore earn no more.

General Average.

9

General Average.

Blocks for topmast-rigging	\$ 10.50
Running rigging	52.10
Top-sail-yard	8.40
Top-sail	40.00
Top-gallant-sail	20.00
Cable	149.00

180.00

One-third off for new

60.00

120.00

Surveyors \$15, protest \$10	25.00
Anchor	35.00
Anchor-stock	10.70
Postages	4.30

195.00

N. B. No deduction is made from the value of an anchor.

Ship	\$ 2000
Cargo	1400
Nett freight	500

3900, at 5 per cent. is \$195

Particular average on the Ship.

Blockmaker's bill	\$ 26.50
Ropemaker's account for stays, &c	25.20
Bowsprit, &c.	23.30
Jib	60.00
Carpenter's and smith's bill	20.00

160.00

One-third off

53.33

Ship \$2000 at 5½ per cent., is \$ 106.67

N. B. The above average comes above 5 per cent.; had it been below, the underwriters would not have been liable to pay it.

VIII. SALVAGE.

Salvage is an allowance made for saving a ship, or goods, or both, from the dangers of the seas, fire, pirates, or enemies. What that allowance is, in case of vessels recaptured may be collected from an abstract of the act of Congress, passed March, 3rd 1800.

1. When any vessel, other than a vessel of war or privateer, or when any goods which shall hereafter be taken as prize by any vessel, acting under authority from the government of the United States, shall appear to have before belonged to any person or persons, resident within, or under the protection of, the United States, and to have been taken by an enemy of the United States, or under authority, or pretence of authority, from any prince, government, or state, against which the United States have authorized, or shall authorize, defence or reprisals, such vessel or goods not having been condemned as prize by competent authority before the recapture thereof, the same shall be restored to the former owner or owners thereof, he or they paying for, and in lieu of, salvage, if retaken by a public vessel of the United States, one-eighth part, and if retaken by a private vessel of the United States, one-sixth part, of the true value of the vessel or goods so to be restored, allowing and excepting all imposts and public duties to which the same may be liable. And if the vessel so retaken shall appear to have been set forth and armed as a vessel of war, before such capture, or afterwards, and before the retaking thereof, as aforesaid, the former owner or owners, on the restoration thereof, shall be adjudged to pay, for and in lieu of salvage, one moiety of the true value of such vessel of war, or privateer.

2. When any vessel or goods, which shall hereafter be taken as prize, by any vessel acting under authority from the government of the United States, shall appear to have before belonged to the United States, and to have been taken by an enemy of the United States, or under authority, or pretence of authority, from any prince, government, or state, against which the United States have authorized, or shall authorize, defence or

reprisals, such public vessel not having been condemned as prize by competent authority before the recapture thereof, the same shall be restored to the United States. And for and in lieu of salvage, there shall be paid from the treasury of the United States, pursuant to the final decree which shall be made in such case, by any court of the United States, having competent jurisdiction thereof, to the parties who shall be thereby entitled to receive the same, for the recapture as aforesaid, of an unarmed vessel, or any goods therein, one-sixth part of the true value thereof, when made by a private vessel of the United States; and one-twelfth part of such value when the recapture shall be made by a public armed vessel of the United States; and for the recapture, as aforesaid, of a public armed vessel, or any goods therein, one moiety of the true value thereof, when made by a private vessel of the United States, and one-fourth part of such value when such recapture shall be made by a public armed vessel of the United States.

3. When any vessel or goods which shall be taken, as prize, as aforesaid, shall appear to have before belonged to any person or persons permanently resident within the territory, and under the protection, of any foreign prince, government, or state, in amity with the United States, and to have been taken by an enemy of the United States, or by authority, or pretence of authority, from any prince, government, or state, against which the United States have authorized, or shall authorize, defence or reprisals, then such vessel or goods shall be adjudged to be restored to the former owner, or owners thereof, he or they paying, for and in lieu of salvage, such proportion of the true value of the vessel or goods so to be restored, as, by the law or usage of such prince, government, or state, within whose territory, such former owner or owners shall be so resident, shall be required, on the restoration of any vessel or goods of a citizen of the United States, under like circumstances of recapture, made by the authority of such foreign prince, government, or state; and where no such law or usage shall be known, the same salvage shall be allowed as is provided by the first section. But no such vessel or goods shall be adjudged to be restored to such former owner or owners, in any case where the same shall have been, before the recapture thereof, condemned as prize by competent authority, nor in any case where, by the law or usage of the prince, government, or state, within whose territory such former owner or owners shall be resident as aforesaid, the vessel or goods of a citizen of the United States, under like circumstances of recapture, would not be restored to such citizen of the United States: And nothing herein shall be construed to contravene, or alter, the terms of restoration in cases of recapture, which are, or shall be, agreed on in any treaty between the United States and any foreign prince, government, or state.

4. All sums of money which may be paid for salvage, as aforesaid, when accruing to any public armed vessel, shall be divided to and among the commanders, officers, and crew, thereof, in such proportions as are or may be provided by law, respecting the distribution of prize money. And when accruing to any private armed vessel, shall be distributed to and among the owners and company concerned in such recapture, according to their agreements, if any such there be; and in case there be no such agreement, then to and among such persons, and in such proportions, as the court having jurisdiction thereof shall appoint.

The wearing apparel of the master and seamen are always excepted from the allowance of salvage.—*Lex Mercatoria*, 147 fo.

The valuation of a ship, in order to ascertain the rate of salvage, may be determined by the policy of assurance, if there is no reason to suspect she is undervalued; and the same rule may be observed as to goods, where there are policies upon them, if that, however, should not be the case, the salvors may insist upon proof of the *real* value, which may be done by the merchant's invoices, and they must be paid for accordingly.—*Lex Mercatoria*, 147 fo.

The assured may recover from the assurer the expenses of salvage; yet he cannot receive a double satisfaction for the same loss. Thus, if the assurer should have paid to the assured the expenses arising from salvage, and afterwards, on account of some particular circumstance, the loss should be repaired by some unexpected means, the assurer shall stand in the place of the assured, and receive the sum thus paid, to atone for the loss.—*Randall v. Cochrane*, 1 Vez. 98.

Cases frequently arise in which the salvage is so high, the other expenses so great, and the object of the voyage so far defeated, that the assured is allowed to *abandon* his interest in the property saved to the assurer, and to call upon him to contribute as if a total loss had actually happened.

The right to share in salvage is forfeited by embezzlement of any part of the cargo saved. 2 *Cranch*, 240.

If a vessel be abandoned at sea in distress by all, except one who is left either by accident or design, he is entitled to claim salvage if he assist in saving the ship.—2 *Cranch*, 240.

Any irregular proceedings on the part of the salvors, serves to diminish their salvage.—Salvage is a compensation for actual service rendered to the property saved; the proportion, except in some particular cases, is not regulated by any statute, but depends upon the

general principles of the maritime law. The amount varies in proportion to the labour, difficulty, and danger which the salvors undergo; but the per centage on valuable cargoes is not so great as where the fund from which salvage is to be paid is small. No salvage is allowed for recapturing a vessel which had been taken by a friendly power.—1 *Johns*. 165.

IX. ABANDONMENT.

The assured before he can demand a recompense from the underwriter for a *total loss*, must cede or *abandon* to him his right to all the property that may chance to be recovered from shipwreck, capture, or any other peril stated in the policy.

The *right to abandon* must arise upon the object of the assured being so far defeated that it is not worth his while to pursue it: such a loss is equally inconvenient to him as if it had been total. For instance, if the voyage be absolutely lost, or not worth pursuing: if the salvage be very high, *suppose a half*; if farther expense be necessary; if the assurer will not engage at all events to bear that expense, though it should exceed the value, or fail of success: under these and many other like circumstances, the assured may disentangle himself, and abandon, notwithstanding there has been a recapture.

There may be circumstances in which it would be unjust to suffer the assured to abandon; for, a ship might be taken and escape immediately, which would be no hindrance at all to the voyage; or she might be taken and instantly ransomed, which would amount only to a partial loss; in which cases, the assured shall not be allowed to demand a recompense for a total loss.

The right to abandon must depend upon the nature of the case at the time of the action brought, or at the time of the offer to abandon.

The owner, therefore, cannot abandon, unless at *some* period or other of the voyage there has been a total loss: and, therefore, if neither the thing assured, nor the voyage be lost, the owner shall not be allowed to abandon.

In a case of stranding, the goods must be deteriorated to half their value, to justify an abandonment.—1 *Johns*. 435.

If certain articles be mentioned in the policy, and a moiety of them be lost, the insured may abandon as for a total loss, though the loss be not equal to a moiety of the cargo.—1 *Johns*. 406.

So if part are lost by jettison, and a part damaged so as to reduce the residue of the goods to less than a moiety, notwithstanding the damaged goods sold (at a port into which the vessel was obliged to put for repairs) for a sum which deducted from the cost of the damaged and lost part, would reduce it to less than a moiety of the cost of the whole.—6 *Johns*. 129.

If the vessel should be so much injured as not to be worth repairing, it is a total loss.—1 *Johns*. Cas. 34.

A damage exceeding the moiety of value of the subject insured, is sufficient to authorize an abandonment. At least, this has been adopted as the rule in the most respectable States in the union, though it has never been understood as extending to a cargo consisting of memorandum articles.—8 *Cranch*, 47.

A total loss may be either technical or real. The latter is always a question of fact, but the former often depends upon the construction of the law.—4 *Cranch*, 42.

An embargo by a foreign friendly power constitutes a total loss, and authorizes an immediate abandonment.

The assured has a right to call upon the underwriters for a total loss, and of course to abandon, as *soon as he hears* of such a calamity having happened, his claim to an indemnity not being at all suspended by the chance of a future recovery of part of the property lost; because, by the abandonment, that chance devolves upon the underwriter, by which means the intention of the contracting parties is fully answered, and complete justice is done.

In a modern decision it has been held by the Court of King's Bench, that, as soon as the assured receive account of such a loss as entitles them to abandon, they must, *in the first instance*, make their election whether they will abandon or not: and, if they abandon, they must give the underwriters notice in a reasonable time, otherwise they waive their right to abandon, and can never afterwards recover for a total loss.—*Mitchell v. Edie*, 1 Term Rep. 608.

It is a question for a jury to decide what time is reasonable.—6 *Cranch*, 338.

A technical total loss must continue to the time of the abandonment.

If the same conveyance brings the account of the vessel's detention. &c. and of her release from restraint, the insured cannot abandon, but the expenses must be paid by the insurers.

An agent who insures has authority to abandon for his principal.—6 *Cranch*, 272.

The effect of an abandonment, if legal, is to put the insurers into the place of the insured, and to make the agents of the latter, their agents.

After the insured knows that the voyage is completed, he cannot abandon.—3 *Johns. Cas.* 156.

The assured may abandon immediately upon being advised of the capture of his vessel.—7 *Johns.* 514.

A capture by a friend is a good cause to abandon.—2 *Johns. Cas.* 263.

An abandonment should describe the causes of abandonment with certainty, and it should be explicit and unconditional.—1 *Johns.* 181.

After a waiver of an abandonment the insured can recover only an average loss.—3 *Johns. Cas.* 39.

After abandonment of the vessel and acceptance, the insurer is entitled to the freight which may be earned subsequently, and he is chargeable with the subsequent wages of the crew as owner.—7 *Johns.* 431.

The doctrine has been since acted upon in a case before Lord Kenyon, *Attwood v. Henckell*, sittings at Guildhall after Michaelmas, 1795.

But if the assured, hearing that his ship is much disabled, and has put into port to repair, express his desire to the underwriters to abandon, and be dissuaded from it by them, and they order the repairs to be made; they are liable to the owner for all the subsequent damage occasioned by that refusal, though it should amount to the whole sum assured.—*Da Costa v. Newnham*.

X. FRAUD IN POLICIES.

The assurers and assured are equally bound to disclose circumstances that are within their knowledge; and therefore if the assurer, at the time he underwrites, can be proved to have known that the ship was safe arrived, the contract will be equally void as if the assured had concealed from him some accident which had befallen the ship.

It is necessary to consider this in three divisions: 1st. *The allegation of any circumstances, as facts, to the underwriter, which the person assured knows to be false*: 2dly. *The suppression of any circumstances which the assured knows to exist; and which, if known to the underwriter, might prevent him from undertaking the risk at all, or, if he did, might entitle him to demand a larger premium*: and, lastly, *a misrepresentation*. Of each of these in order.

In a case before Lord Chief Justice Holt, in the reign of William and Mary, that learned judge held, that, if the goods were assured as the goods of a Hamburger, who was an ally, and the goods were, in fact, the goods of a Frenchman, who was an enemy, it was a fraud, and that the assurance was not good.

In another case, a letter being received, stating that a ship sailed from Jamaica to London on the 24th of November, after which an assurance was made, and the agent told the assurer, that the ship sailed the latter end of December: this was also held, by Lord Chief Justice Lee, to be a fraud, and the defendant had a verdict.

And, in another case, where the policy was underwritten thus, "Warranted neutral ship and property:" and the jury found "that the ship and property were not neutral property, as warranted by the said policy;" Lord Mansfield and the rest of the court were of opinion that it was too clear a case to bear an argument. This was *no contract*; for there was a falsehood in respect to the condition of the thing assured; because the plaintiff assured neutral property, and this was not neutral property.

From the preceding case, we may collect this principle, that a *false assertion* in a policy will vitiate the contract, even though the loss happen in a mode *not* effected by that falsity.

A representation to one underwriter is not evidence of a representation to a subsequent underwriter on a different policy, though the same vessel and against the same risks. 2 *Johns.* 157.

To constitute a representation, language equivalent to the assertions of a particular fact must be used.—7 *Cranch.* 506.

A misrepresentation to avoid a policy must be of some fact, which, if untrue, would materially alter the risk of the voyage.—5 *Cranch.* 100.

The second species of fraud, which affects assurances, is the *concealment of circumstances known only to one of the parties entering into the contract*. The facts, upon which the risk is to be computed, lie, for the most part, within the knowledge of the assured only. The underwriter must therefore rely upon him for all necessary information; and must trust to him, that he will conceal nothing, so as to make him form a wrong estimate. If a mistake happen, without any fraudulent intention, still the contract is annulled, because the risk is not the same which the underwriter intended.

Every fact known to the assured, which would, if disclosed, enhance the premium, should be communicated to the underwriters.—1 *Johns. Cas.* 1.

The assured need not disclose that the vessel has papers on board which are necessary to the prosecution of the voyage, according to the usage of the trade; though the possession of such papers increase the risk of capture.—6 *Cranch.* 278.

One having a doubtful account of his ship, that was at sea, namely, that a ship, described like his, was taken, assured her, without giving any notice to the assurers of what he had heard, either as to the hazard or the circumstances, which might induce him to believe that his ship was in great danger, if not actually lost. Lord Chancellor Macclesfield.—“The assured has not dealt fairly with the assurers in this case; he ought to have disclosed to them what intelligence he had of the ship's being in danger, and which might induce him, at least, to fear, that it was lost, though he had no certain account of it. For, if this circumstance had been discovered, it is impossible to think that the assurers would have assured the ship at so small a premium as they have done, but either would not have assured at all, or would have insisted on a larger premium, so that the concealment of this intelligence is a fraud.” Whereupon the policy was decreed to be delivered up with costs; but the premium to be paid back and allowed out of the costs.

In another case it appeared, that on the 25th of August, 1740, the defendant underwrote a policy from Carolina to Holland. It came out in evidence that the agent for the plaintiff had, on the 23d of August (two days before the policy was effected,) received a letter from Cowes, dated the 21st of August, wherein it is said; “On the 12th of this month I was in company with the ship *Davy*; (the ship in question) at twelve at night lost sight of her all at once: the captain spoke to me the day before that she was leaky; and the next day we had a hard gale.” The ship, however, continued her voyage till the 19th of August, when she was taken by the Spaniards; and there was no pretence of any knowledge of the actual loss at the time of the assurance; but it was made in consequence of a letter received that day from the plaintiff abroad, dated the 27th of June before. Lord Chief Justice Lee declared, that, as these are contracts upon chance, each party ought to know all the circumstances. And he thought it not material that the loss was not such a one as the letter imported; for, those things are to be considered in a situation of them at the time of the contract, and not to be judged of by subsequent events. He therefore thought it a strong case for the defendant. The jury found accordingly.

In an action on a policy of assurance, the case was, that the ship was assured *at and from* Genoa, liable to average. The loading was put on board *at* Leghorn the 10th of August, and the vessel had lain at Genoa above five months, being originally bound for Dublin; but, losing her convoy, she put into Genoa the 13th of August, and lay there till the 5th of January, when she sailed. And the assurance was made the 20th of January; at which time these circumstances were known to the assured, but not communicated to the underwriter. A few days after she put to sea, she was shattered by a storm, and the cargo considerably damaged. The jury found a verdict for the plaintiff; and a new trial was moved for on this ground, that the policy was bad *ab initio*, from want of a due disclosure of the circumstance.

Lord Mansfield.—“The question is, whether here was a sufficient disclosure; that is, whether the fact concealed was material to the risk run. This is a matter of fact, and if material, the consequence is matter of law, that the policy is bad. Now who can say that no risk was run, during the five months stay at Genoa, or no damage happened in that period? The policy is founded on misrepresentation; the ship is assured ‘at and from Genoa to Dublin; the adventure to begin from the loading, to equip for this voyage.’ This plainly implies that Genoa was the port of loading; and, at the trial, all the witnesses said, that, by usage, it was material to acquaint the underwriter, whether the assurance was to be at the commencement or in the middle of the voyage.” A new trial was accordingly granted.

The case of *Grieve v. Young*, decided by the court of session in Scotland, in 1782, is correspondent in principle with these decisions. A letter was sent by the owner of a ship to his correspondent in Edinburgh to make an assurance on her. After the letter was put into the post, but before the post departed, the ship was lost; and was known to be so by the said owner. He did not write to countermand the assurance, as he might have done by the same post, in which case the assurance could not have been effected. The court were of opinion, that it was not incumbent on the owner to countermand it by an express, but being satisfied that there was time for so doing by the ordinary course of the post, and which was his duty to do, gave judgment for the underwriters.

But although the rule is laid down thus generally, that one of the contracting parties is bound to conceal nothing from the other, yet it is by no means so general as not to admit of an exception. There are many matters as to what the assured may be innocently silent.

Our ideas on this topic, the argument of Lord Mansfield, in *Carter v. Boehm*, 3 Burr. 1905, will completely regulate. The facts of that case are not material; but we shall only give the reasoning of Lord Mansfield upon the general doctrine of what is not necessary to be revealed.

His Lordship said, “Assurance is a contract upon speculation. The special facts, upon which the risk is to be computed, lie most commonly in the knowledge of the assured only. The underwriter trusts to his statement, and proceeds upon confidence, that he does not keep back any circumstances within his knowledge, to mislead the underwriter

into a belief that the circumstance does not exist, and to induce him to estimate the risk as if it did not exist. The keeping back such circumstance is a fraud, and therefore the policy is void. Although the suppression should happen through mistake, without any fraudulent intention, yet still the underwriter is deceived, and the policy is void; because the risk run is really different from the risk understood and intended to be run at the time of the agreement. The policy would be equally void against the underwriter, if he concealed any thing; as, if he assured a ship on her voyage, which he privately knew to be arrived; and an action would lie to recover the premium. The governing principle is applicable to all contracts and dealings. Good faith forbids either party, by concealing what he privately knows, to draw the other into a bargain, from his ignorance of that fact, and his believing the contrary. But either party may be innocently silent as to grounds open to both to exercise their judgment upon. There are many matters as to what the assured may be innocently silent; he need not mention what the underwriter knows. An underwriter cannot insist that the policy is void, because the assured did not tell him what he actually knew, what way soever he came to the knowledge. The assured needs not mention what the underwriter ought to know; what he takes upon himself the knowledge of; or what he waives being informed of. The underwriter needs not to be told what lessens the risk agreed, and understood to be run by the express terms of the policy. He needs not be told general topics of speculation; as, for instance, the underwriter is bound to know every cause which may occasion natural perils; as the difficulty of the voyage, the kind of season, the probability of lightning, hurricanes, and earthquakes. He is bound to know every cause which may occasion political perils, from the rupture of states, from war, and the various operations of war. He is bound to know the probability of safety, from the continuance and return of peace; from the imbecility of the enemy, through the weakness of their councils or their want of strength. If an underwriter assures private ships of war, by sea and on shore, from ports to ports, and from places to places, any where, he needs not be told the secret enterprises upon which they are destined; because he knows some expedition must be in view; and, from the nature of his contract, he waives the information, without being told. If he assure for three years, he need not be told any circumstance to show that it might be over in two; or, if he assure a voyage with liberty of deviation, he need not be told what tends to show there will be no deviation. Men argue differently, from natural phenomena and political appearances: they have different capacities, different degrees of knowledge, and different intelligence. But the means of information and judging are open to both: each profess to act from his own skill and sagacity, and therefore neither needs to communicate to the other. The reason of the rule, which obliges the parties to disclose, is to prevent fraud and encourage good faith; it is adapted to such facts as vary the nature of the contract, which one privately knows, and the other is ignorant of, and has no reason to suspect. The question, therefore, must always be, "Whether there was, under all the circumstances, at the time the policy was underwritten, a fair statement, or concealment: fraudulent, if designed; or, though not designed, vary materially the object of the policy, and changing the risk understood to be run."

If the assured is bound to disclose fairly all circumstances that may affect the risk, still more strongly is he called upon not to change the condition of his ship against the consent of the underwriter. Thus, in an assurance upon a ship and cargo, from Liverpool to Oporto, the ship sailed, but was driven back by contrary winds; and, before she could sail again, an embargo was laid. The assured applied to the underwriters for leave to put guns on board, and to take out a letter of marque. The underwriters consented to the guns for her defence, but refused the letter of marque. Notwithstanding which, a general letter of marque was obtained, and put on board; the ship sailed, and was taken on her voyage out. The jury thought that the letter of marque was intended to be used only in the voyage home. The court, however, determined that this vacated the policy.

We now come to the third division, namely, to cases in which policies are void by *misrepresentation*. Before we proceed to state the cases under this head, it will be proper to distinguish between a *warranty* and a *representation*. A warranty or condition is that which makes a part of the written policy, and must be more literally and strictly performed; and, being a part of the agreement, nothing *tantamount* will do or answer the purpose. A representation is a statement in the case, not a part of the written instrument, but collateral to it, and entirely independent of it, and it is sufficient, that a representation be *substantially* performed. Warranties will be noticed hereafter. If there be a misrepresentation, it will avoid the policy, as a fraud, but not as a part of the agreement. Even written instructions, if they are not inserted in the policy, are only to be considered as representations; and, in order to make them valid and binding, as a warranty, it is absolutely necessary to make them a part of the instrument, by which the contract of indemnity is effected. If a representation be false in any material point it will avoid the policy; and if the point be not material, the representation can hardly ever be fraudulent.

If the broker, at the time when the policy is effected, in representing to the underwriter the state of the ship, and the last intelligence concerning her, does not disclose the

whole, and what he *conceals* shall appear *material* to the jury, they ought to find for the underwriter, the contract in such case being void; although the concealment should have been *innocent*, the facts not mentioned having appeared *immaterial* to the broker, and having not been communicated merely on that account.

In order to vitiate the contract, the thing concealed must be *material*, it must be *some fact*, and not merely a supposition or speculation of the assured; and the underwriter must take advantage of any misrepresentation the first opportunity, otherwise he will not be allowed to claim any benefit from it at a future period. If therefore the assured merely represent that he *expects* a thing to be done, the contract will not be void, although the event should turn out very different from his expectation.

Wherever there has been an allegation of a falsehood, a concealment of circumstances, or a misrepresentation, it is immaterial whether such allegation or concealment be the act of the person himself who is interested, or of his agent, or whether it arise from inattention or negligence: for, in either case, the contract is founded in deception, and the policy is consequently void.

If the assured was supposed to be guilty of fraud, the proof of it falls upon the underwriter; direct and positive proof is not necessary; but, circumstantial evidence is all that can be expected, and, indeed, all that is necessary to substantiate such a charge.

It remains to be considered, how far the assurer may retain the premium or is bound to return it, in cases where the policy is void, on account of the frauds which have been treated of in this division. This question was decided in the case of *Chapman and others*, assignees of *Kennet v. Fraser*, where it was expressly determined, that, in cases of *actual* fraud on the part of the assured or his agent, the underwriter might retain the premium. Hence, too, it would seem that the underwriter is bound to return the premium, where *fraud* is rather by the construction of the law, than by the actual conduct of the assured.

So, if an underwriter be guilty of concealment or fraud, he is liable to return the premium; as if he assure a ship on her voyage, which he privately knew to be arrived.

XI. SEA-WORTHINESS.

Every ship assured must, at the time of the assurance, be able to perform the voyage, unless some external accident should happen: and, if she have a latent defect, though wholly *unknown* to the parties, that will vacate the contract; and the assurers are discharged. This doctrine is founded upon that general principle of assurance-law, that the assurers shall not be responsible for any loss arising from the insufficient or defective quality or condition of the thing assured.

But, although the assured ought to know whether the ship was sea-worthy or not at the time she set out upon her voyage, yet he may not be able to know the condition she may be in after she is out a twelvemonth: and, therefore, whenever it can be made appear, the decay, to which the loss is attributable, did not commence till a period subsequent to the assurance, as she was sea-worthy at the time, the underwriter would be liable. In a late case, *Eden v. Parkinson*, Doug. 700, the same principle was much relied upon, Lord Mansfield said, "By an implied warranty, every ship assured must be tight, staunch, and strong; but, it is sufficient if she be so at the time of her sailing. She may cease to be so in twenty-four hours after departure, and yet the underwriter will continue liable." Every case of this kind, it is true, must depend upon its own circumstances: but, when they are once ascertained, the rule of law is clear and decisive.

A vessel, seaworthy at the time of leaving port, foundered the day after her departure from a leak without any apparent cause: the court held it to be a loss by the perils of the sea, or a demurrer to the evidence.---1 *Johns*. 241.

Though it was afterwards decided that those facts formed a legal presumption that the vessel was not seaworthy.---2 *Johns*. 124.

Whether a vessel is seaworthy or not, is a question for the Jury.

Masters and owners of vessels, should recollect that the policies used in this port and in the southern ports contain a clause, usually called the rotten clause, in the following words viz. that if the vessel, after a regular survey, shall be condemned for being unsound or rotten, the underwriters shall not be bound to pay the subscription on this policy. The effect of this is to have the interest of the assured tried in foreign ports, where he may have no proper agent. Captains should be very careful not to permit a condemnation to be made on the above ground, unless it should be evident that the vessel was unseaworthy at the commencement of the voyage.

From carelessness in this respect, the liability of the insurer is often unjustly destroyed. The policies in the eastern ports have not this clause; and other things being equal, the underwriters who do not insert it, offer better terms than those who retain it in their policies.

Where it becomes necessary to have a condemnation in foreign ports, masters should

direct the attention of the surveyors to that subject, if the vessel belongs to any of the southern ports.

If the survey and condemnation do not proceed upon the above ground alone, and unconnected with other circumstances, they are not conclusive.—8 *Johns*. 163.

So if the report does not refer to the rottenness existing at the commencement of the voyage.—3 *Cranch*, 187.

If it be necessary that the ship itself should be sufficient for the voyage, it is also an implied condition, that she should be furnished with every thing necessary for the purpose of safe and careful navigation. Not only must the ship herself be seaworthy, but she must have a sufficient crew, a captain of competent skill, and a *pilot on board*, wherever a pilot is customarily employed.

The ship *Indian* sailed from Liverpool to the coast of Africa, and thence to the West Indies and America. She arrived at Demerara a mere wreck, owing to a concussion resembling an earthquake, and foundered before she reached shore. The slaves were profitably sold; and the plaintiff recovered, as for a total loss. A rule was obtained, calling on the plaintiff to show cause why a new trial should not be had, on the grounds that the subject matter of the assurance was considerably deteriorated on the ship's arrival. It was, however, held that this argument was of no weight, and the rule was discharged.

XII. ILLEGAL VOYAGES.

Whenever an assurance is made upon a voyage expressly prohibited by the common, statute, or maritime, law of the country, the policy is of no effect, being void from the beginning.

Even if it be told to the underwriter, that the voyage is illicit, he shall not be bound, because the contract is null and void.

A vessel was insured from Norfolk to Lisbon and the assured warranted, that a British license should be obtained; a loss having happened, the assurers set up for defence the illegality of the voyage. The court decided that it was illegal for an American vessel to sail with a British license in time of war between the United States and Great Britain, and that the assured could not recover.—Colquhoun *vs.* The N. Y. Firemen Ins. Co. 15 *Johns*. 352.

If a ship, though neutral, be assured on a voyage prohibited by an embargo, laid on in time of war, by the prince of the country in whose ports the ship happens to be, such an assurance is also void.

It follows, of course, that any act done in contravention of a proclamation of this nature, is illegal and criminal; and a contract founded on such illicit proceedings is consequently void.

Though an assurance upon a smuggling voyage, prohibited by the revenue laws of this country, would be void under the principle above stated; yet the rule has never been supposed to extend to those cases where the ships have traded or intended to trade, contrary to the revenue-laws of foreign countries, because no country takes notice of the revenue-laws of another; in such cases, therefore, the policy is good and valid; and, if a loss happens, the underwriter will be answerable.

Though a ship may have committed some act in a former voyage, for which she is liable to seizure, yet an assurance on her for a particular voyage is legal; as, if it were otherwise, the consequence might be extended *ad infinitum*.

If a ship be assured at and from A. to B., and there be any illegality in her traffic during her stay at A., the assured cannot recover on a policy for a loss happening between A. to B.

In time of war, to bring, even in a neutral ship, goods purchased by an agent in the enemy's country, after the eruption of hostilities; even though they were not purchased of the enemy: and the benefit of an assurance, effected for the commission of these acts, is forfeited.

We may conclude the present subject with this principle; that all assurances upon a voyage generally prohibited, such as to an enemy's garrison, or upon a voyage directly contrary to an express act of Congress, are absolutely null and void.

All goods, the traffic in which is not prohibited by the law of this country, are lawful goods within the meaning of the policy, although they may be contraband of war.—1 *Johns. Cas.* 1.

Or owned by the subject of a belligerent.—2 *Johns. Cas.* 77.

XIV. RE-ASSURANCE AND DOUBLE ASSURANCE.

Re-assurance may be said to be a contract, which the first assurer enters into, in order to relieve himself from those risks which he has incautiously undertaken, by throwing them upon other underwriters, who are called re-assurers.

The re-assurer is wholly unconnected with the original owner of the property assured; and as there is no obligation between them originally, so none is raised by the subsequent act of the first underwriter. The risk of the assurer from the object of the re-assurance, which is a new independent contract, not at all concerning the assured; who consequently can assume no power or authority with respect to it.

The insurer is not bound to abandon or give notice to the re-assurer, when the first assured abandons to him; but the re-assurer may avail himself of any defence which the first insurer might have urged against the insured.—3 *Caines*, 190.

A *double assurance* is where the same man is to receive *two* sums instead of one, or the same sum twice over, for the same loss, by reason of his having made two assurances upon the same goods or the same ship. The first distinction between these two contracts is that, a re-assurance is a contract made by the first underwriter, his executor, or assigns, to secure himself or his estate; a double assurance is entered into by the assured. A re-assurance, except in the cases provided for by the statute, is absolutely void; a double assurance is not void; but still the assured shall recover only *one* satisfaction for his loss.—Where a man has made a double assurance, he may recover his loss against which of the underwriters he pleases, but he can recover no more than the amount of his loss. It being thus settled, that the assured shall recover but one satisfaction, and that, in case of double assurance, he may fix upon which of the underwriters he will for the payment of his loss, it is a principle of natural justice, that the several assurers should all of them contribute in their several proportions, to satisfy that loss, against which they have all assured.

Where the vessel was valued on one policy at \$2000, and there was a prior insurance for \$3000, the insured was allowed to prove the vessel to be worth enough to cover both policies.—1 *Johns*. 385.

In the year 1763, it was ruled by Lord Mansfield, chief justice, and agreed to by the course of practice, that, upon a double assurance, though the assured is not entitled to two satisfactions, yet, upon the first action, he may recover the whole sum assured, and may leave the defendant therein to recover a rateable satisfaction from the other assurers.

Although a man, by making a double assurance, should not be allowed to recover a double satisfaction for the same loss, yet various persons may assure various interests on the same thing, and each to the whole value, (as the master for wages, the owner for freight, one person for goods, another person for bottomry,) and such a contract does not fall within the idea of a double assurance.

XV. CHANGING THE SHIP.

Changing the ship, or, as it is commonly called, changing the bottom, will operate as a bar to the assured's recovering upon a policy of assurance against the underwriter. Except in some special cases of assurances upon *ship or ships*, it is essentially requisite, to render a policy of assurance effectual, that the name of the ship, on which the risk was to be run, should be inserted. This being done, it follows that, the assured shall neither substitute another ship for that mentioned in the policy, before the voyage commences, nor, during the course of the voyage, remove the property assured to another ship, without consent of the underwriter, or without being impelled by a case of *unavoidable necessity*.

And this doctrine, relative to the changing the bottom of the ship, was alluded to by Lord Mansfield, when delivering the opinion of the court in the case of *Pelly* against the Royal Exchange Assurance Company. "One objection," said his Lordship, "was formed by comparing the case to that of changing the ship's bottom, on board of which goods are assured; *which the assured have no right to do.*"

This is to be taken as a rule, subject to the exceptions of inevitable or urgent necessity: for it has been held, that the owners of goods assured, by the act of shifting the goods from one ship to another, do not preclude themselves from recovering an average loss, arising from the capture of the second ship, if they act from necessity, and for the benefit of all concerned.

XVI. DEVIATION.

Deviation means a *voluntary departure*, without necessity, or any reasonable cause, from the regular and usual course of the specific voyage assured. Whenever a deviation of this kind takes place, the voyage is determined; and the underwriters are discharged from any responsibility. It is necessary to insert, in every policy of assurance, the place of the ship's departure, and also of her destination. Hence it is a condition, on the part of the assured, that the ship shall pursue the most direct course, of which the nature of things will admit, to arrive at the destined port. If this be not done, if there be no special agreement to allow the ship to go to certain places out of the usual track, or if there be no just cause assigned for such a deviation, the underwriter is no longer bound by his

contract. Nor is it at all material, whether the loss be or be not in actual consequence of the deviation; for, the assurers are in no case answerable for a subsequent loss, in whatever place it happens, or to whatever cause it may be attributed. Neither does it make any difference, whether the assured was or was not consenting to the deviation.

In another case, an action was brought upon a policy upon goods and other merchandises, loaded on board the ship called the *Charming Nancy*, from Dunkirk to Leghorn. The ship came to Dover in her way to procure a Mediterranean pass, and was afterwards lost. Lord Mansfield was of opinion, that the calling at Dover was a deviation; and the plaintiff was nonsuited.

It was held, by Lord Chief Justice Lee, that, if the master of a vessel put into a port not usual, or stay an unusual time, it is a deviation, and discharges the assurer.

It has been held, that, even where there is a permission given to *touch and stay* at a place, that confers no privilege on the assured to break bulk, or to unload any part of the cargo.

In a case upon a policy of assurance on a ship *at and from Fisherow to Gottenburg, and back to Leith and Cockenzie*, it appeared that, in the homeward voyage, she went first to Cockenzie, which lay nearer to Gottenburg than Leith, and was stranded in the harbour of Cockenzie. The court were of opinion, that, unless there be some usage proved, or some special facts, to vary the general rule, the party assured must go to the several places mentioned in the policy, *in the order in which they are named*; and that, to depart from that course is a deviation.

So in a very late case, where a ship was assured, "at and from Lisbon to a port in England, with liberty to call at any one port in Portugal for any purpose whatever." The ship sailed from Lisbon to Ferro, to complete her loading. Ferro being a port to the southward of Lisbon, and lying directly out of the course of the voyage to England, Lord Kenyon was of opinion that it was a deviation; as the liberty given must be restrained to mean some port lying in the fair course of the voyage.

These principles being once established, it follows, as a necessary consequence, that, however short the time of deviation may be, if only for a single night, or even for an hour, the underwriter is equally discharged as if there had been a deviation for weeks or months; for, the condition being once broken, no subsequent act can ever make it good.

In a modern case, however, it seemed to be the general opinion of Lord Mansfield and a special jury, and was sworn to be the usage by several witnesses, that, if a merchant-ship carry letters of marque, she may *chase* an enemy, though she may not *cruise*, without being deemed guilty of a deviation.

On an assurance of the *Mary*, at and from London to Cork and the West Indies, the question was, whether a ship, having letters of marque, could *chase* an enemy's ship, without being said to have deviated. The facts were, that in the night the *Mary* had descried a Spanish sail; and, after chasing, lost sight of her six hours, till the morning, when they engaged. The *Mary* did not make a prize of the Spanish sail, but she proceeded on her voyage, and was afterwards captured. It was agreed on all hands, that a ship, in such circumstances, might not cruise; and several witnesses spoke to the usage and practice of ships, which carried letters of marque, chasing an enemy. It was admitted, on the part of the assurers, that, if an enemy came in the way, the ship must defend or engage; but contended, that, if the letter of marque lost sight of an enemy, then it was no longer chasing but cruising. Lord Mansfield left it upon the evidence, to the jury, who found for the plaintiffs; thereby deciding the question in the affirmative.

A voluntary deviation from the voyage assured, vitiates a policy *upon freight*, as well upon ship and goods. Thus on an assurance on freight of the ship *Bethiah*, *at and from Bourdeaux to Virginia*, it appearing that the goods were to be carried in the ship from Bourdeaux to St. Domingo, and that she was *only* to call at Norfolk in Virginia for orders; Lord Kenyon was of opinion, that the underwriters had a right to expect that the goods, upon which the freight was payable, were consigned to Virginia, and not to another place, and that the calling at Norfolk for orders was a deviation.

A vessel which is permitted by her policy to chase, capture, and man prizes, is not warranted in *shortening sail* and *lying to*, in order to let the prize keep up with her for the purpose of being protected or conveyed into port, although such port be within the limits of the voyage assured.

But, whenever the deviation arises from *necessity* and a *just cause*, the underwriter still remains liable, although the course of the voyage is altered.

The first ground of necessity, which justifies a deviation, is that of *going into port to repair*. If a ship be decayed, or receives material and imminent danger in her voyage, which cannot be repaired at sea, and goes to the *nearest place* to refit, it is no deviation because it is for the general interest of all concerned, and consequently for that of the underwriters, that the ship should be put in a proper condition capable of performing the voyage.

The next excuse for leaving the direct course is *stress of weather*. Upon this point the rule is this: that, whenever a ship, in order to escape a storm, goes out of the direct course, or when, in the due course of the voyage, she is driven out of it by stress of weather, this is no deviation. It has also been held, that, if a storm drive a ship out of the course of her voyage, and she do the best she can to get to her port of destination, she is not obliged to return to the point from which she was driven.

If a ship be driven out of her port of loading by stress of weather, into another, and then does the best she can to get to her port of destination, it shall not be deemed a deviation, though she do not return to the port whence she was driven.

A deviation may also be justified, if done to avoid an enemy, or seek for convoy: because it is in truth no deviation to go out of the course of a voyage, in order to avoid danger, or to obtain protection against it.

If a vessel, on being pursued by a cruiser or pirate, put into a port to avoid a capture, it is not a deviation.—10 *Johns*. 179.

So to avoid a probable danger of capture, when obliged to wait for wind.—2 *Johns*. 138.

If, by the usage of any particular trade, it is customary to stop at certain places lying out of the direct course from A. to B. it is not a deviation to stop there, because it is a part of the voyage; but, in order to justify the captain of a ship in quitting the strait and direct line from the port of loading to that of delivery, there must be a precise, clear, and established, usage upon the subject, not depending merely upon one or two loose and vague instances.

Where a ship was assured from Liverpool to Jamaica, and had put into the Isle of Man, it appeared that there were *some instances* of the Liverpool ships putting in there, but it was not the settled, common, established, and direct, usage of the voyage and trade; it was therefore held a deviation, and the underwriters were discharged from any loss that happened subsequent to the deviation.

So also if a ship be assured upon a trading voyage, it is incumbent on the parties assured to carry on that trade with the usual and reasonable expedition, otherwise their conduct will amount to a deviation, and discharge the policy.

But though an actual deviation from the voyage assured is thus fatal to the contract of assurance, yet a deviation merely *intended*, but never carried into effect, is considered as no deviation, and the assurer continues liable for a loss happening before the vessel arrives at the dividing point.—*Cranch*, 357.

If a vessel be captured and taken out of her course by reason of her having contradictory papers on board, it is a deviation.—1 *Johns*. *Cas.* 341.

If a vessel remain in a port of necessity longer than is necessary to complete the repairs, or avoid the danger, it is a deviation.—7 *Cranch*, 487.

An alteration of the voyage after the commencement of the risk only, is a deviation—11 *Johns*. 241.

If, however, it can be made appear, by evidence, that it never was intended or came within the contemplation of the parties to sail upon the voyage assured; if all the ship's papers and documents be made out for a different place from that described in the policy, the assurer is discharged from all degree of responsibility, even though the loss should happen before the dividing point of the two voyages. This distinction was very properly taken by the Court of King's Bench, in *Woodridge v. Boydell*.

If a ship be assured from a day certain, from A. to B. and, before the day, sail on a different voyage from that assured, the assured cannot recover; even though the ship afterwards fall into the course of the voyage assured, and be lost after the day on which the policy was to have attached.

In cases of deviation, the premium is not to be returned; because the risk being commenced, the underwriter is entitled to retain it.

XVII. NON-COMPLIANCE WITH WARRANTIES.

A warranty in a policy of assurance, is a condition or contingency, a certain thing shall be done, or happen; and, unless that is performed, there is no valid contract. It is perfectly immaterial for what view the warranty is introduced: but being once inserted, it becomes a binding condition on the assured; and unless he can show that he has *literally* fulfilled it, or that it was *literally* performed, the contract is the same as if it had never existed.

But, as a warranty must be *strictly* complied with in favour of the underwriter, and against the assured, equal justice demands, that, if a strict and literal compliance with the warranty will support the demand of the assured, the decision ought to be in his favour: especially when, by such a decision, *all* the words in the policy will have their full operation.

In an action on a policy of goods, dated the 9th of December, 1784; *lost or not lost, warranted well this 9th of December, 1784*; it appeared, that the warranty was at the foot of the policy; that the policy was underwritten between the hours of one and three.

in the afternoon of the 9th of December, that the ship was well at six o'clock in the morning, and lost at eight o'clock the same morning. Upon a motion to set a side a non-suit, which had been entered, Lord Kenyon and the other Judges were clearly of opinion, that the warranty was sufficiently complied with, if the ship were well at any time that day; that the nature of a warranty goes to determine the question; for, as it is a matter of indifference whether the thing warranted be or be not material, and yet must be literally complied with, still, if it be complied with, that is enough: and there was good reason for inserting these words, because they protected the underwriter from losses before that day, to which he would otherwise have been liable, as the policy was on the goods from the lading; and thus, too, the words *lost or not lost* have also their operation.

If a ship be warranted to sail on or before the 1st of August, and she be prevented by any accident from sailing till the second of August, as by the sudden want of any necessary repair, or by the appearance of an enemy at the mouth of the port, the captain would do right not to sail; but there would be an end of the policy.

In order to make written instructions valid and binding as a warranty, they must appear on the face of the policy itself; even though a written paper be *wrapped up in the policy*, when it is brought to the underwriter to subscribe, and shown to them at that time: or even though it be *wafered to the policy*, at the time of subscribing; still it is not in either case a *warranty*, or to be considered as part of the policy itself, but only as a *representation*. Both these instances have occurred before Lord Mansfield, in *Parson v. Bornetell*.

But, if a policy of assurance refer to certain printed proposals, the proposals will be considered as part of the policy.

It being thus settled, that a warranty must appear on the face of the instrument, it has likewise been determined that a warranty, written in the margin of the policy, was to be considered equally binding, and subject to the same strict rule construction as if inserted in the body of the policy itself.

The warranties which most frequently occur, and upon which the greatest questions have arisen, may be reduced to three classes: *warranty as to the time of sailing, warranty, and warranty as to neutrality*.

1st. *As to the time of sailing*.—It has been held, that, when a ship has been warranted to sail on a particular day, though the ship be delayed for the best and wisest reasons, or even though she be detained by force, the warranty has not been complied with, and the assurer is discharged from his contract.

If the warranty be to sail *after* a specific day, and the ship sail before, the policy is equally avoided as in the former case; because the terms of the warranty are as much departed from in one case as in the other.

But, when a ship is warranted to sail on or before a particular day, if she sail from her port of loading, *with all her cargo and clearances on board*, to the usual place of rendezvous at another part of the same island, merely for the sake of joining convoy, it is a compliance with the warranty, though she be afterwards detained there by an embargo beyond the day. The ground is, that when the ship leaves her port of loading, when she has a full and complete cargo on board, and has no other object in view, but the safest mode of sailing to her port of delivery, her voyage must be said to commence from her departure from that port. If indeed, her cargo was not complete, it would not have been a commencement of the voyage.

In assurances *at and from London*, warranted to depart on or before a particular day, it has long been a question, what shall be a departure from the port of London? or rather, what is the port of London? and, it is singular, that this point has never yet been judiciously determined.

On the one hand it is said, that the moment a ship is cleared out at the custom-house and has all her cargo on board, if she quit her moorings in the river on or before the day warranted, that the warranty is complied with. On the other side, it is contended, and with great appearance of reason, that a ship is not ready for sea till she has got her custom-house cocket on board, which is the final clearance, and which she cannot have till she arrive at Gravesend; that, till this cocket is received, the ship dares not proceed to sea under a penalty, and till then she is not entitled to the drawbacks; and that Gravesend is always considered as the limits of the port of London; and, unless the ship sail thence on or before the day limited, there is no beginning of the voyage, and the policy is forfeited.

The second species of warranty, which most frequently occurs in assurances, is that against illicit and contraband trade. To constitute a breach of this warranty, it is not sufficient, that there has been a condemnation under pretence of such a trade, there must be an illicit or prohibited trade, in fact, existing.—2 *Johns. Cas.* 481.

And if the insurer know at the time of insuring that there are other goods which are contraband shipped on board of the same vessel, he will not be protected by the warranty.—1 *Caines*, 489.

The underwriter is liable for a loss happening from illicit trade barratrously carried on by the master, notwithstanding the warranty.—2 *Caines*, 222.

A warranty against prohibited trade, protects the insurer from loss, in consequence of the vessel's being denied an entry at her port of destination.—1 *Johns*, 181.

This warranty extends only to partial losses occasioned by temporary detention, not followed by condemnation.—2 *Johns. Cas.* 481.

The third species of warranty is that of *neutrality*; or, that the ship or goods assured are neutral property. If the ship and property are neutral at the time when the risk commences, this is a sufficient compliance with a warrant of neutral property: because it is impossible for the assured to be answerable for the consequences of war breaking out during the voyage.

However, if property belonging to a neutral country be assured in one of two belligerent powers, and be condemned by the other belligerent power, on capture, as belonging to the country in which it is assured, such condemnation is valid; since this sentence is to be regarded as a proof that the warranty of this being neutral is not complied with.

If a warranty of property belonging to any neutral power be rendered void by any act of the master, &c., of a ship, after the commencement of the voyage; and the ship be in consequence condemned by a belligerent power, the assured cannot recover.

Where a policy contains no warranty of neutrality, the assurers take upon themselves all risks belligerent as well as neutral.—2 *Johns. Cas.* 157.

The sentence of a foreign court of admiralty, is not conclusive as to the breach of the warranty of neutrality.—2 *Johns. Cas.* 451.

A transfer by the assured of the thing insured after it has been captured to a belligerent's subject, is a breach of the warranty of neutrality.—2 *Caines*, 73.

The character of the property is to be determined by the domicile of the owner.—1 *Johns. Cas.* 363.

If the neutral enter after receiving notice of a blockade, there being none in fact, it is not a breach of the warranty of neutrality.—2 *Caines*, 1.

Concealment of papers amounts to a breach of neutrality.—7 *Cranch*, 506.—Except when the underwriters know that it is customary to take such papers on board. A warranty of neutrality is broken by an entrance of a blockaded port.—4 *Cranch*, 434.

XVIII. RETURN OF PREMIUM.

The next object of our inquiry is, in what cases, and under what circumstances, there shall be a *return of premium*.

The principle, upon which the whole of this doctrine depends, is simple and plain. The risk of peril is the consideration for which the premium is to be paid: if the risk be not run, the consideration for the premium fails; and equity implies a condition, that the assurer shall not receive the price for running a risk, if, in fact, he runs none.

Accordingly, in an action brought by the plaintiff, for £5 received by the defendant to the plaintiff's use, where it appeared in evidence, that one Barkdale had made a policy of assurance upon account for £5 premium, in the plaintiff's name, and that he had paid the same premium to the defendant, and that Barkdale had no goods then on board, and so the policy was void: Lord Chief Justice Holt said, "the money is not only to be returned by the custom, but the policy is made originally void, the party, for whose use it was made, having no goods on board; so that, by this discovery, the money was received without any *reason, occasion, or consideration*, and, consequently, it was received, originally to the plaintiff's use.—And so judgment was given for the plaintiff.

Premiums on illegal assurances are not recoverable.

Whether the cause of the risk not being run is attributable to the *fault, will, or pleasure*, of the assured, still the premium is to be returned.

If the policy should become void by a failure of the warranty, there being no fraud, the insured is entitled to a return of the premium.—3 *Johns*. 307.

If the property be insured to a larger amount than the real value, the overplus premium is recoverable by the insured.—*Johns. Cas.* 329.

After the risk has attached, though but for a moment, there can be no return of premium.—8 *Johns*. 1.

Where the insured supposed at the time of insuring that he has an interest in the subject matter, in which he is mistaken, he is entitled to a return of the premium; though if he had been interested, the risk would have attached.—3 *Johns. Cas.* 269.

There is often in policies, an agreement inserted, that if the voyage shall have been begun and terminated at the time of insuring, there shall be no return of the premium.

The French, in the famous ordinances of Lewis XIV., have inserted an article, declaring that, if the voyage is entirely broken up, before the departure of the ship, *even by the act of the assured*, the assurance shall be void, and the underwriter shall return the premium, reserving one half *per cent.* for his trouble. Accordingly, it has always been the custom, when the policy is cancelled, to return the premium, deducting one-half *per cent.*

In the common law there are two general rules established, which, govern almost all cases. The first is, that where the risk has not been run, whether that circumstance was owing to the fault, the pleasure, or will of the assured, or to any other cause, the premium shall be returned. Another rule is, that, if the risk has *once* commenced there shall be no apportionment or return of premium afterwards. Hence, in cases of deviation, though the underwriter is discharged from his engagement; yet, the risk being once commenced, he is entitled to retain the premium.

When, however, from the nature of the agreement between the parties, or the nature of the voyage, the contract becomes devisible, "a part of the premium shall be retained for the risk run, and part shall be returned, as the risk has never commenced."

In an assurance for twelve months at £9 *per cent.*; the ship was captured within two months after the contract was made, and a return of premium was demanded. But the contract in this case was entire; the premium was a gross sum stipulated, and paid for twelve months; and the parties, when they made the contract, had no intention or thought of a subsequent division or apportionment, and therefore there could be no return of premium.

In a subsequent case, the Court adopted the same rule of decision, where the ship was assured for twelve months, and risk ceased at the end of two. A distinction was attempted to be made, because in this case, the whole premium, £18, was acknowledged to be received from the assured *at the rate of fifteen shillings per month*: and this, it was insisted, evidently showed, the parties intended the risk to continue from month to month. This objection was, however, over-ruled; the court being of opinion, that the case last mentioned decided this; and that the fifteen shillings per month was only a mode of computing the gross sum.

The two last cases were assurances upon time; but it seems perfectly clear, that, when the contract is entire, whether it be for a *specified time* or for a *voyage*, there shall be no apportionment or return, if the risk has *once commenced*. And, therefore, when the premium is entire in a policy on a voyage, where there is no contingency at any period, out or home, upon the happening or not happening of which the risk is to end, nor any usage established upon such voyages, although there be several distinct ports, at which the ship is to stop, yet the voyage is one, and no part of the premium shall be recoverable.

XIX. BOTTOMRY AND RESPONDENTIA.

Bottomry is in the nature of a mortgagee of a ship, when the owner of it borrows money to enable him to carry on the voyage, and pledges the keel, or *bottom* of the ship, as a security for the repayment: and it is understood that, if the ship be lost, the lender also loses his whole money; but, if it return in safety, then he shall receive back his principal, and the premium or interest stipulated to be paid, although it may exceed the usual or legal rate of interest. When the ship and tackle are brought home, they are liable, as well as the person of the borrower, for the money lent. But when the loan is not made upon the vessel, but upon the goods and merchandises laden thereon, which, from their nature, must be sold or exchanged in the course of the voyage, then the borrower only is *personally* bound to answer the contract; who, therefore, in this case, is said to take up money at *respondentia*. In this consists the difference between *bottomry* and *respondentia*; that the one is a loan upon the ship, the other upon the goods; in the former the ship and tackle are liable, as well as the person of the borrower; in the latter, for the most part, recourse must be had to the *person* of the borrower. Another observation is, that, in a loan upon bottomry, the lender runs no risk, though the *goods* should be lost: and upon respondentia, the lender must be paid his principal and interest, though the *ship* perish, provided the goods are safe. In all other respects the contract of bottomry and that of respondentia are upon the same footing.

These terms are also applied to another species of contract, which does not exactly fall within the description of either; namely, to a contract for the repayment of money, not upon the ship and goods only, but upon the mere hazard of the voyage itself; as if a man lend £1000 to a merchant to be employed in a beneficial trade, with a condition to be repaid with extraordinary interest, in case a specific voyage named in the condition shall be safely performed.

The contract of bottomry and respondentia seems to deduce its origin from the custom of permitting the master of a ship, when in a foreign country, to hypothecate the ship, in order to raise money to refit. Such a permission is absolutely necessary, and is impliedly given him in the act of constituting him master, by the marine law, which in this respect is reasonable; for, if a ship happen to be at sea, and spring a leak, or the voyage is likely to be defeated from want of necessaries, it is better that the master should have it in his power to pledge the ship and goods, or either of them, than that the ship should be lost, or the voyage defeated. But he cannot do either for any debt of his own, but merely in case of *necessity*, and for *completing the voyage*. Although the master of the vessel has this power while abroad, because it is absolutely necessary for the purposes of com-

merce and navigation, yet the very same authority, which gave that power in those cases, has denied it when he happens to be in the same place where the owners reside. All the cases which have been determined upon the subject, seem to require, that the ship should be *abroad*, as well as in a *state of necessity*, to justify the captain or master in taking money on bottomry.—Molloy, in express terms, declares, that a master has no power to take up money on bottomry in places where his owners dwell : otherwise, he and his estate must be liable thereto.

To authorize the master to hypothecate the vessel, it must be necessary to borrow money to enable the vessel to proceed on her voyage ; it must be made in a strange port, and evidence of its reasonableness should be obtained.

It must not be done where the owner or master have goods sufficient for the repairs of the ship. No other means of procuring friends at that place should exist, and the sum loaned must be advanced solely on the faith of the ship.—2 *Peters*, 301.

The master may hypothecate at the port of destination as well as at any other foreign port.—3 *Johns*. 352.

If, indeed the owners do not agree in sending the ship to sea, the majority shall carry it, and then money may be taken up by the master on bottomry for their proportion who refuse, although they reside on the spot, and it shall bind them all.

It is the essence of a contract of bottomry, that the lender run the risk of the voyage, and that both principal and interest be at hazard ; for, if the risk go only to the interest of premium, and not to the principal also, though a real and substantial risk be inserted, it is a contract against the statute of usury, and therefore void. This has been frequently so determined in courts of law.

An action of debt was brought upon an obligation. The defendant pleaded the statute of usury, and showed that a ship went to fish in Newfoundland, (which voyage might be performed in eight months,) and that the plaintiff delivered £50 to the defendant, to pay £60 upon the return of the ship off Dartmouth : and, if the said ship, by occasion of leakage or tempest, should not return from Newfoundland to Dartmouth, then the defendant should pay £50 only ; and, if the ship never returned, he should pay nothing. And it was held by all the court, not to be usury within the statute. For, if the ship had stayed at Newfoundland two or three years, he should have paid, at the return of the ship, £60, and if the ship never returned, then nothing ; so that the plaintiff ran hazard of having less than the interest which the laws allow : and, possibly, neither principal nor interest.—*Cro. Jac.* 208.

So also in another case of debt upon an obligation, conditioned to pay so much money, if such a ship returned within six months from Ostend, in Flanders, to London, which was more by the third part than the legal interest of money ; and if she did not return, then the obligation to be void.—*Hard. Rep.* 418.

In another case of debt upon an obligation for £300, the condition was, that, if a ship went to Surat, in the East-Indies, and returned safe, or if the owner, or the goods laden on board the ship, returned safe, then the defendant was to pay the principal to the plaintiff, and £40 for each £100 ; but, that, if the ship should perish by unavoidable casualties at sea, fire, or enemies, to be proved by sufficient testimony, then the plaintiff should have nothing. The doubt was, whether this was an usurious contract ; and it was said to be so, because the payment depended upon so many things, one of which, in all probability, would happen. But the whole court held it not to be within the statute.—1 *Sid.* 27.

As the hazard to be run is the very basis and foundation of this contract, it follows, that if the risk is not run, the lender cannot be entitled to the extraordinary premium ; for that would be to open a door to means by which the statute of usury might be evaded. This was so decided by the Court of Chancery.

This case was upon a bottomry-bond, where the plaintiff was bound, in consideration of £400, as well to perform the voyage within the six months, as at the six months end to pay £400, and £40 premium, in case the vessel arrived safe, and was not lost in the voyage. It happened that the plaintiff never went the voyage, whereby the bond became forfeited, and he now preferred his bill to be relieved. Upon the former hearing, as the ship lay all the time in the port of London, and there was no hazard of losing the principal, the lord-keeper thought fit to decree, that the defendant should lose the premium of £40, and be contented with his principal and ordinary interest. And now, upon a rehearing, he confirmed his former decree.—1st *Vern.* 263.

It has been decided in Maryland District, that if money be taken up on bottomry, and the ship is to sail on a specified voyage, but in fact performs a different voyage, that the vessel is liable on the bottomry bond, on the ground that the borrower has no right to risk the security of the lender on a different voyage.—2nd *Peters*, 295. Note.

It remains to be shown, what these risks are to which the lender undertakes to expose himself. These are, for the most part, mentioned in the condition of the bond, and are nearly the same, against which, the underwriter, in a policy of assurance, undertakes to indemnify. These accidents are, tempests, pirates, fire, capture, and every other misfor-

tune, except such as arise either from the defects of the thing itself, on which the loan is made, or from the misconduct of the borrower.

Capture here does not mean a mere temporary taking, but it must be such a capture as to occasion a total loss. And, therefore, if a ship be taken, and detained for a short time, and yet arrive at the port of destination within the time limited, (if time be mentioned in the condition,) the bond is not forfeited, and the obligee may recover.

A lender on bottomry, or at respondentia, is neither entitled to the benefit of salvage, nor liable to contribute in case of a general average.

It has been said, that, if the accident happen by default of the borrower or of the captain, the lender is not liable, and has a right to demand the payment of the bond. If, therefore, the ship be lost by a wilful deviation from the track of a voyage, the event has not happened upon which the borrower was to be discharged from his obligation.—*Skin.* 152.

CHAPTER VII.

OF THE OWNER.

Persons may become owners of ships in various ways; viz. by purchase, by building, or by capture from an enemy, followed by a sentence of condemnation.

To entitle vessels to the privileges of American ships, the owners must be natives or naturalized citizens, and the vessels must be registered or qualified to carry on the coasting trade.—*Vide* chap. 18, on Ships.

Those who intend to acquire the property of a ship by purchase, should previously ascertain that the person who proposes to sell is legally empowered to do so: for, although a sale of other goods, by the person who is in possession of them, may, in many cases, vest the property in the buyer, even when the seller himself has neither property in them or authority to dispose of them, it is not so with respect to ships; for the sale of which there is no open market. Written documents always determine this species of property; and the buyer has therefore the means of ascertaining the title of any one who offers to sell, and can seldom be deceived, unless by his own fault.

The requisite documents not only furnish the owner with proof of his property, but also enable him to dispose of it when the ship is at sea, or in a foreign port. When a ship is at home, and a delivery of actual possession is possible, such delivery is necessary to give a perfect title to the buyer, in case of the sale of a whole ship; for, although as between buyer and seller it may be completed by payment of the price without delivery of possession; yet if the buyer suffer the seller to remain in possession and act as owner, and an execution issue upon a judgment against the seller, the sale may, perhaps, be deemed fraudulent and void as against the party who has obtained the judgment.

In case of a sale or agreement for sale, *of a part only*, it has been thought sufficient, if the vendor, having delivered the muniments of his title, ceased from the time to act as a part-owner, actual delivery of a part being considered impossible. This, however, is to be understood with some limitation: for, if, a part owner has the *actual* possession of the ship, it is not impossible for him to deliver the possession: but, if he has *not* the actual possession, the possession of the other part owners may reasonably be considered to be the possession of the vendee after the sale.

In the case of an absolute sale it can rarely happen, in practice, that the seller should continue in possession; but the rule extends also to mortgages of ships, and with regard to them has often been regularly enforced. But, when a ship is abroad, a perfect transfer of the property may, at the common law, be made by assignment of the grand bill of sale and delivery of that and the other documents relating to the ship, as the delivery of the key of a warehouse to the buyer of goods contained therein is held to change the property of the goods, according to the rule of the civil law; such delivery, in each case, being not merely a symbol, but the mode of enabling the buyer to take actual possession, so soon as circumstances will permit.—*Abbott*, 11.

A mortgagee of a ship not in possession, is not liable for repairs and necessities furnished to the ship.

After an abandonment and acceptance, the insurers become the owners, and are liable for all repairs, &c. after the loss, in proportion to the amount of their subscriptions.

Charterers are considered as the owners of the ship, while on the voyage for which she is chartered; but if the owner retain the management, hire and pay the crew, and provide them with provisions, he is to be still deemed the owner.

Goods spoiled by default of a Master.—If goods are spoiled by default of a master of a ship employed by the owners, the owners are liable; but the action must be brought against all the part-owners, who make but one master. So if the goods be lost or embezzled by the crew, or any other person.

Part owners not agreeing about a Voyage.—If several part-owners wish to send a ship on a voyage, but two or three other part-owners refuse their consent, the former may send her on the voyage, but they must enter into a recognizance for her safe return.

If complaint be not made in Admiralty, or no dissent expressed to the other part-owners before the sailing of the vessel, no redress can be had for her loss in the course of the voyage: inasmuch as a part owner cannot recover against another for fraudulently sending the ship upon a voyage in which she was lost.

The liability of the owners as to the transportation of goods, is the same as that of the master, unless the vessel is chartered, in which case the charterer is considered as owner, *pro hac vice*.

A part owner of a ship sued the other owners for his share of the freight on finishing her voyage; but the other owners had fitted her out, in which complainant would not join; whereupon the other owners complained; and, by order, there they gave security, if the ship perished in the voyage, to make good to the plaintiff his share, or to that effect; in such a case, by the law marine and course of the admiralty, the plaintiff was to have no share in the freight. It was referred to Sir Lionel Jenkins to certify the course, who certified accordingly, and that it was so in all places, for otherwise there would be no navigation: whereupon the plaintiff's bill was dismissed.

Repairing a Ship.—If a ship be repaired and fitted out with new rigging and apparel, the ship itself is not liable, by common law, but the owners. By the laws of the State of New-York, vessels are liable for all debts contracted by the master, owner, or consignee, on account of any work done, supplies or materials furnished towards the building, repairing, or equipping such vessels. When the claim exceeds \$100, the party applies to a court of record and procures an attachment to seize the vessel. Upon the return thereof, he sets forth the particulars of his demand, and the court may refer the action to indifferent persons, whose report when confirmed by the court, is conclusive. The vessel may be released from attachment by giving satisfactory security to abide the judgment of the court.

The lien upon the vessel ceases after the vessel has left the state, and in no case does it continue more than 12 days after the vessel has left the port in which she has been arrested. If she be repaired abroad, the ship is liable, and the master may hypothecate (or pawn) her for payment of the charges.

The repairer of a ship may sue either the master who employs him or the owners: but, if he undertake it on a special promise from either, the other is discharged.

An action was brought by a shipwright for repairing the defendant's ship in his dock.—About three hours before the ship's repairs were finished, a fire happened, and she was burnt. Notwithstanding which, the court held that the owner was liable to pay for the repairs that had been done.

Owners liable for Provisions, &c. bought by the Master.—If the master of a ship buy provisions for her, and have money of the owners to pay for the provisions, but sail without paying the money, the owners are liable to pay, in proportion to their respective shares in the ship, the master being but a servant to the owners.—2 Vern. Rep. 643.

Owners liable for Necessaries ordered by the Master, whether they know of it or not.—The plaintiffs being rope-makers, supplied the ship Henry-and-Thomas with cables to the value of £5. 8s. 3d. by the order of Thomas Harwood, the captain; and made Harwood and the owners of the ship (the defendant) the debtors, in the usual manner, without naming the owners, or knowing particularly who they were.—The ship Henry-and-Thomas had been let by the defendants to Harwood upon certain articles, in which it was mutually covenanted between them as follows: 1st; The owners covenanted with Harwood, that, on his performance of the covenant stipulated, on his part, he should have the sole management of the ship, and employ her for his sole benefit and advantage for the space of eleven years, if he should so long live, and the ship should not be lost. The covenants on the part of Harwood were (amongst others,) to pay a yearly rent of £36 per cent., at stated periods; that he would, at all times, at his own cost and charge, repair, maintain, and keep, the vessel and her rigging, &c., in good and sufficient repair. The plaintiffs had no notice of this contract at the time they furnished Harwood, the captain, with the goods.—The question was, whether the defendants were liable to this debt?

Lord Mansfield, in delivering judgment, said, "This case was reserved, not with a view to the particular matter in dispute, or the parties now before the court, but in consideration of a general anxiety in the owners of ships, employed in this trade, to know how far they are by law liable for the acts of their respective lessees. In that point of view we have considered the case very particularly; and, after the fullest deliberation, we think it impossible to say that the plaintiffs are not entitled to recover. Whoever supplies a ship with necessaries has a treble security. 1. The person of the master. 2. The specific ship. 3. The personal security of the owners, whether they know of the supply or not.—1. The master is personally liable as making the contract. 2. The owners are liable in consequence of the master's act, because they choose him: they run the risk, and

they say whom they will trust with the appointment and office of master. Suppose the owners in this case had delivered the value of the goods in question in specie to the master, with directions for him to pay it over to the creditors, that the master had embezzled the money: it would have been no concern of the creditors; for they trust specifically to the ship, and generally to the owners. In this case, the defendants are the owners; and there happens to be a private agreement between them and the master, by which he is to have the sole conduct and management of the ship; and to keep her in repair, &c. But how does that affect the creditors, who, it is expressly stated, were total strangers to the transaction? And that is an answer to the observation, that, the plaintiff must have known the real situation of the matter, in this case, from the general usage and custom of the country in that respect. To be sure, if it appeared that a tradesman had notice of such a contract; and, in consequence of it, gave credit to the captain individually as the responsible person, particular circumstances of that sort might afford a ground to say, he meant to absolve the owner, and to look singly to the personal security of the master; but here it is stated that, the plaintiff had no notice whatever of the contract. The owners themselves are aware of their being liable at the time; they choose a master to whom they agree to let the ship, and trust for their security to the covenants which they oblige him to enter into: these covenants are that he shall be obliged to keep the ship in repair, and deliver her up, at the end of the term, in as good condition as when delivered to him. This is not all; for they indemnify themselves against the private debts of the master, and against his being taken in execution: for, if he does not perform all and every the covenants in the agreement, (except in case of the loss of the ship,) the consequence (beside the remedy against him upon the covenant) is, that the contract and agreement are to be absolutely at an end, and they are to take possession of the ship.

"Suppose the ship had been impounded in the admiralty court, and that happened at the end of the term; or, suppose the captain had broken a covenant which had put an end to the agreement; the defendant could never have taken the ship out of court, without paying the debt for which the ship was impounded. We are all of opinion, therefore, that, under these circumstances, there is no colour to say that the creditors shall be stripped of the general security they are, by law, entitled to against the owners.—Rich, executor, *v.* Coe and another.

CHAPTER VIII.

OF THE MASTER.

Nothing more more materially concerns the master of a ship, than to know what degree of responsibility is attached to his situation, and what privileges it invests him with: and it is the design of this chapter to explain them. The master and owner are, however, so intimately connected together, that many observations in the preceding chapter of owners, will be found to be necessary knowledge for the master of a ship. The doctrine of marine assurances, too, he should be well acquainted with, in order that he may not, by his conduct, inadvertently prejudice his owners' claim on the underwriters.

The master of a vessel is the legal agent or representative of his owners, and subject to the same rules of honesty and good faith, with other agents. In cases which are not included within his usual written orders, and which depend upon his judgment alone, he is to act as if the property intrusted to him were his own.

It is almost the invariable practice of owners, to furnish their masters with written orders or instructions, embracing the principal part of their duty during their voyage. It is extremely hazardous for the master to depart from these instructions, as he will be responsible for the least damage which shall accrue from a wanton and unnecessary deviation. He should consult them in every case of doubt or difficulty, and follow them with the most exact precision. Many permanent duties, however, are connected with the situation of a master, which he must always perform, but which are never specified in his orders. These are to depend on his own judgment and fidelity, and are, in all cases, of the utmost importance to the interest of his owners.

He never should attempt a breach of embargoes, blockades, or other restraints, being, in most cases, personally responsible, if any damage should ensue.

Unnecessary deviations from the direct course of the voyage, ought never to be attempted.—Not only the policies on both vessel and cargo are by this means vacated, but the property subjected to other risks which often prove fatal. Unavoidable necessity, we, will justify a deviation.

On entering ports, or navigating difficult passages, where the custom of the trade has stationed pilots, it is the duty of the master to take one on board, and by no means to proceed without; and not to discharge his pilot, except at the accustomed places. A neglect of this part of his duty, destroys the policies on vessels and cargo, and renders both master and owners liable to the assured. A master should note on his log-book; the time and place of his taking the pilot on board.

Port laws and regulations should be carefully observed. In almost every port there are certain laws for the government of the shipping, which cannot be transgressed with impunity. A master should, therefore, inform himself of this on his first arrival, and be scrupulous in conforming himself to them during his stay. All the damage which ensues in consequence of a breach of them, will eventually fall on him.

The master is bound to observe the revenue laws of whatever country he may be in, for, if by his negligence or misconduct he violates them, and the vessel be seized, or the cargo taken, he is answerable to the owners for the loss.

Port dues and charges are payable by the captain; and his vessel, cables, anchors, &c. may be distrained.

The master has the power of appointing his officers and crew, and has the entire command over them during the voyage for which they are shipped. He may, and it is his duty, for the preservation of peace and order on board his vessel, to administer moderate chastisement, but this chastisement must not be a blow with the fist or a stick; the seamen ought to be flogged with a rope, before the crew, who at the same time may be apprised of the offence. In case of mutinous behaviour, or such gross mal-conduct of any seaman, as to endanger the safety of vessel and cargo, the master is justifiable in putting him in irons. Repeated disobedience or neglect, is a sufficient cause for the master to discharge a seaman; but this disobedience and neglect should be obstinate and continued, or often repeated, to justify such an exertion of authority in the master.

A seaman may likewise be discharged when infested with any contagious distemper.

When a vessel is driven, by stress of weather, into a port other than that to which she is bound, and the cargo, if of a perishing nature, be injured, the master, notwithstanding such injury, will be perfectly secure in proceeding on his voyage with the first opportunity. But the interests of his owners and shippers will, for the most part, in such cases, induce him immediately to sell such part of his cargo as is likely to perish. If, however, the master should risk this procedure, he should obtain the most unequivocal proofs of the state of his cargo, either from the officers of the port, or from the most respectable commercial characters in the place, by their affidavits under oath; and should likewise enter his protest before a notary, and see that his accounts are so fair and regular as to manifest his own integrity; and even after doing all this, he should be reasonably sure of the acquiescence of the owners, shippers, and freighters, before he runs the hazard of a sale.

It is the Duty of the Master to settle the General Average.—If the ship arrive at her port of destination, the captain should enter his protest, and he, with some of his crew, must swear that some of the goods thrown overboard, money paid, or other loss sustained, were for the safety of the ship and goods, and for the preservation of the lives of those on board, and for no other purpose. The average, if not settled before, should then be adjusted and paid before the cargo is landed, or at least, before it is delivered; for the owner of the ship has a *lien* upon the goods on board, not only for freight, but also to answer all averages and contributions that may be due. Should this be neglected, the particular sufferer is not without his remedy; as it is the duty of the master to detain the goods until the contribution be made, or to take bonds for the same, to be paid when adjusted. An action would lie against him, or against the owners for a neglect of this duty.

A protest should be made by the master in every case of accident either to vessel or cargo, at the first port he shall put into. Every occurrence during the voyage, which may operate to the detriment or disadvantage of any concerned in the voyage, should be protested against. This protest must be made within 24 hours after his arrival.

It should be recollected that the master, in his transactions with other persons, may incur a double responsibility; viz. to the persons with whom he contracts, and to his owners, if he should exceed his authority. He has authority in virtue of his character as master, to borrow money on the credit of his owners, for necessary expenses and repairs. He may also borrow money to pay the export duty on the return cargo, provided he do it for the benefit of his owners. He may also sell a part, or hypothecate, the whole of the cargo, to repair the ship when necessary on the voyage, but his authority to do this, is at an end upon his arrival at the port of destination; neither can he sell or hypothecate the cargo after the ship is so disabled as to be unable to prosecute the voyage, and such sale will be considered as wrongfully made, though he obtain an order of a vice admiralty court, for a sale.

A master has authority to repair the ship and to supply her with provisions, &c. when necessary, but he renders himself liable, to those who furnish him with necessaries, unless he takes care, expressly to confine the credit to his owners.

Master not liable for Stores ordered before, but delivered after, his appointment as Master.—Lord Mansfield, in delivering his opinion of the court in the case of *Farmer and an-*

other against Davis, where goods were ordered for a ship by the owner, before the appointment of the captain, and some of which goods were delivered after his appointment, said, "Where a captain contracts for the use of a ship, the credit is given to him; in respect of his contract, it is given to the owners, because the contract is on their account, and the tradesman has likewise a specific lien on the ship itself. Therefore, in general, the tradesman who gives that credit debits both the captain and the owners. Now, what is this case? The captain made no contract personally: the owners contracted for their ship: the credit was given to them only: and there is not a shadow of colour to charge the captain with any part of these goods."

A master has no authority to sell the ship, unless in particular circumstances.—The master possesses every power necessary for the employment and navigation of the ship; but he has not, unless in a case of extreme necessity, authority to sell the ship. In a case (*Johnson v. Shippen*) before the Court of King's Bench, chief justice Holt is reported to have said, "The master has no authority to sell any part of the ship, and his sale transfers no property; but he may hypothecate," or *pawn*. In a subsequent case, (*Ekins v. East India Company*) Lord Chancellor Cowper decreed that the East India Company should pay to the owner of a ship, purchased of the master at Batavia, for their use, and by one of their agents, the difference between the real value and the sum paid to the master, with interest thereupon at the rate allowed in India. His lordship noticed that the sale of the ship was not necessary; and it appears that the transaction was a gross fraud between the master and the agent of the company, but without their privity. The decree was afterwards affirmed by the house of lords.

It has been quoted from an old law reporter, that, "the master may, in some cases, sell the ship, although it does not belong to him, as in the case of famine, &c. (*Jenkins Centuries*, p. 165.) On this it has been remarked (*Abbott*, p. 3.) that the exception of cases of extreme necessity rather fortifies than weakens the general rule: and no person can safely purchase a ship of the master, in any case which does not clearly fall within the principle upon which the exception is founded; and such a case will rarely happen. And, although the master be himself a part-owner of the ship, yet will not his sale thereof be good for more than his own part; for the interest of part-owners is so far distinct, that one of them cannot dispose of the share of another; whereas, in articles of ordinary sale, one partner may, in general, transfer the whole property, if the transaction be without fraud.

If a ship has received an irreparable injury, the captain, acting bona fide, and for the benefit of the owners, may sell her. This, however, cannot be justified except by extreme necessity and perfect good faith.—5 *Esp. U. P. Cas.* 65.—and only when the vessel is rendered unfit for the purposes of commerce, he may hypothecate the ship, but this only when the voyage would be retarded if he should not take up the money; and not even then, if he have goods of his owners sufficient to defray the necessary expenses, nor if the owners have agents or consignees in the place who have funds, or are bound to provide funds for this purpose. He has also authority to make contracts which bind the owners, relative to the usual employment of the ship.

As his authority is great, on the other hand his responsibility is great.

He is responsible for the performance of those contracts he may make for the employment of the ship. He is also responsible to his owners if he does not manifest reasonable care, prudence, and fidelity in the performance of his duty, and for any damage which may result from a neglect or breach of orders. He is liable for the mariners' wages, even though they were shipped by the owners.

He is also liable for goods lost or embezzled during the voyage, according to the nett value at the port of delivery.

So for any damage committed by the ship, if it could have been avoided by proper care and diligence; but not if the pilot has command of the ship.

If through mere wantonness or negligence, he run foul of another vessel, an action will lie as well against him as the owners.

Masters of vessels bound to the United States, must, on their arrival within 4 leagues of the coast, make out a true manifest of their cargo, and have 2 copies in readiness to be delivered to the proper officers, subscribed by themselves. One of which must be delivered to the revenue officer, when demanded within the said distance, and the other to the officer of the customs in the district of delivery in which he shall first arrive, under penalty of \$500.—*Vide Manifest Law*.

Masters of ships responsible for goods committed to their charge.—The law makes no distinction between carriers by land, and carriers by water; and, for whatever losses that arise from the neglect of persons employed under them, they are answerable; whatever cases, therefore, that are contained in this chapter, relative to carriers by land, must be understood to be equally applicable to carriers by water, such as masters of ships.

The master of a ship is not bound to deliver goods shipped on freight, when arrived at the port of destination without a receipt from the consignee. An endorsement of the bill of lading is an assignment of the goods themselves; but is not negotiable by the custom of merchants; nor is he bound to deliver the goods, where there is no express stipulation, until his freight be paid; the goods, while in his hands, being bound as it were, for the payment of the freight, if he part with them he loses his lien on the goods for the payment of the freight.

If the master has goods delivered to him on shore, he is answerable for them as much as if delivered on board the ship; so is he answerable by the general law, for the safety of goods from plunder or damage, while they are in his boats or barges to be put on board or landed, because those boats or barges are considered as attached to, and making a part of the ship.

The master is liable for all injuries to the goods occasioned by bad stowage, exposing them to wet, for losses by theft or embezzlement; for the master, at his peril, must see all things forth coming that are delivered to his charge, acts of God, national enemies, and perils of the sea, only excepted; but for fire, thieves, and the like, he must answer as a common carrier.—*Marshall*, 157.

The master is bound during the voyage, to take all possible care of the cargo; and although he is not responsible for injury done to it in consequence of a leak occasioned by a storm, tempest, or other inevitable accident, yet if a leak be occasioned by rats, and the goods spoiled, the master has been held liable for the damage, because guilty of fault.—*Abbott*, 224.

The master is bound at all times to provide ropes, &c. proper for the actual reception of the goods into the ship, and for the delivery of them on shore; for if a cask be accidentally staved in letting it down into the ship's hold or in landing it, the master must answer for the loss.—*Goff v. Clinkard*. Cited 1 *Wills*, 282.

If the master take on board his ship any contraband or unlawful goods, whereby other parts of the cargo, or the ship may be liable to forfeiture or detention, he is responsible; or if he takes on board any false or suspicious papers which may subject the ship to capture or detention, he is also liable for the damages.—*Molloy*, Book 2. Ch. 2. Sect. 7. *Abbott*, 211.

The master of a ship is liable for goods of which the ship is robbed in the river.—The reasons are: 1. Because he is an officer known. 2. Because he receives his salary out of that which is paid for the freight. But the master may reimburse himself out of the mariners' wages, for a loss happening by their neglect.

Masters are charged to carry goods against all events but the acts of God and the king's enemies.—In the case of Forward against Pittard, the plaintiff had delivered goods to the defendant, who was a common carrier; and which goods were afterwards destroyed by accident of fire. The question was, whether the defendant was answerable for them.

Lord Mansfield said, "It appears from all the cases, for one hundred years back, that there are events for which a carrier is liable, independent of his contract. By the nature of his contract, he is liable for all due care and diligence; and for any negligence, he is sueable on his contract. But there is a farther degree of responsibility, by the custom of the realm, that is, by the common law, a carrier is in the nature of an insurer. It is laid down that he is liable for every accident, except by the act of God or the king's enemies: now, what is the act of God? I consider it to mean something in opposition to the act of man; for every thing is the act of God that happens by his permission; every thing by his knowledge. But to prevent litigation, collusion, and the necessity of going into circumstances impossible to be unravelled, the law presumes *against* the carrier, unless he shows it was done by the king's enemies, or by such act as could not happen by the intervention of man, as storms, lightning, and tempests.

"If an armed force come to rob the carrier of the goods, he is liable; and the reason is, from fear it may give room for collusion, that the master may contrive to be robbed on purpose, and share the spoil.

"In this case, it does not appear but that the fire arose from the act of some man or other: it certainly did arise from some act of man; for, it is expressly stated not to have happened by lightning. The carrier, therefore, is liable, inasmuch as he is liable for inevitable accident."—Judgment for the plaintiff.

What acceptance makes a Carrier liable.—"If a box is delivered generally to a carrier, and he accepts it, he is answerable, thought the party did not tell him there was money in it. But, if the carrier asks, and the other says no, or if he accepts it, conditionally, provided there is no money in it; in either of these cases, the carrier is not liable."

Goods lost in a lighter.—If goods are lost after the owner of them has taken them from the ship into a lighter, it is his own loss; but it is otherwise if the goods are sent from the ship by the ship's boat, which is considered as part of the ship and voyage. Yet, if the owner of any goods send his servant with them, the carrier, or lighterman is not liable if they be lost.

Master has no lien on the Ship for his wages, nor for Money paid for Stores and Repairs.—Wilkin and others, assignees of Brooke, a bankrupt, against Carmichael. The question in this case was, whether a captain, having paid for stores supplied, and repairs done, to a ship in England, and having wages due to him, has such a lien on the ship as to be entitled to keep her till he is paid?

Lord Mansfield said, "Notwithstanding the strongest inclination that the defendant (the captain) should have full satisfaction, we are not able to find ground on which we can give judgment in his favour. 1. He has set up a lien upon two sorts of claim, viz. wages, and stores and repairs. As to wages, there was no particular contract that they should be a pledge; there is no usage in trade to that purpose, nor any implication from

the nature of the dealing. On the contrary, the law has always considered the captain as contracting personally with the owner, and the case of the captain has, in that respect, been distinguished from that of all other persons belonging to the ship: this rule of law may have its foundation in policy, for the benefit of navigation; for, as ships may be making profit and earning every day, it might be attended with great inconvenience, if, on the change of a captain for misbehaviour, or any other reason, he should be entitled to keep the ship till he is paid. As to stores and repairs, it is a strong answer to that claim, that, when the demand was made to the assignees, the captain had not paid the tradesmen's bills. But, if there was any lien originally, it was in the carpenter. The captain could not, by paying him, be in a better situation than he was, and he had parted with the possession; so that he had given up his lien, if he ever had one: the other creditors had none. If the defendant is liable to the tradesmen, it is by his own act. Work done for a ship is supposed to be done on the personal credit of the employer; in foreign parts the captain may hypothecate the ship. The defendant might have told the tradesmen that he only acted as an agent, and that they must look to the owner for payment."—*Judgment for the plaintiff.*

Passengers on board a vessel, are entitled to all the accommodations, conveniences, and attentions from the master, which the nature of the vessel and voyage, and the terms of their agreement will admit; and the master is liable to an action, should the passengers be deprived of them, or not conveyed to the port of destination according to his contract.

A master may detain the baggage or goods of passengers until the passage money is paid.

Passengers dying on board.—If any passenger die on board, the master is obliged to inventory his effects; and if no claim can be made to them within a year, the master becomes proprietor of the goods, but answerable for them to the deceased's legal representatives.

Captain dying.—If a captain die, leaving money on board, and the mate becoming captain, shall improve the money, he shall, on allowance for his care, account both for interest and profits.

Whenever a vessel belonging to a citizen of the United States, is sold in a foreign country, and her company discharged, or when a citizen of the United States, with his own consent, is discharged in a foreign country, it is the duty of the master to produce to the consul, vice-consul, commercial agent, or vice-commercial agent, the list of the ship's company, certified as aforesaid; and to pay to such consul, for every mariner so discharged, being designated on such list as a citizen of the United States, three months' pay over and above the wages due to such mariner, two-thirds thereof to be paid by such consul, or commercial agent, to each mariner so discharged, upon his engagement on board of any vessel to return to the United States, and the other remaining third to be retained for the purpose of creating a fund for the payment of the passages of mariners, citizens of the United States, who may be desirous of returning to the United States, and for the maintenance of American seamen who may be destitute, and may be in such foreign port, and the several sums retained for such fund must be accounted for with the treasury every six months, by the person receiving the same.

Masters of vessels must make a protest when any of their seamen have been impressed, and transmit the same to the nearest consul, or the minister of the United States, and keep a duplicate for the Secretary of State.

Masters must declare on oath, before entry, whether any of their crew have been impressed, and to forfeit \$100 upon neglecting or refusing so to do.

The collectors are to transmit, every 3 months, to the Secretary of State, a list of the seamen registered, together with an account of the impressments.

Masters must take, under the penalty of \$100 in case of refusal, all American seamen put on board by the consul or agent of the United States, in a foreign port at a price not exceeding \$10 for each person, provided that no more than 2 men for every 100 tons shall be put on board without his consent.

Where seamen have been transported from foreign ports in which there is no consul or agent of the United States, there shall be allowed to the master or owner of such vessel, such sum as shall be deemed equitable by the comptroller of the treasury in addition to the legal allowance.—*Act. 28 Feb. 1811.*

An Act supplementary to an Act concerning Consuls and Vice-Consuls, and for the further protection of American Seamen. Passed February 28, 1803.

Section 1.—*It is enacted,* Before a clearance be granted to any vessel bound on a foreign voyage, the master must deliver to the collector a list sworn to, containing the names, places of birth, and residence, and a description of the persons who compose his ship's company, as far as he can ascertain them; and the said collector shall deliver him a certified copy thereof, for which the collector shall be entitled to twenty-five cents; and the said master shall enter into bond with sufficient security, in the sum of four hundred dollars, that he shall exhibit the copy to the first boarding officer at the first port in the United States at which he shall arrive on his return, and produce the persons named therein,

to the officer, whose duty it shall be to examine the men with such list, and to report the same to the collector; and it shall be the duty of the collector to transmit a copy of the list to the collector of the port from which said vessel originally sailed: *Provided*, That the said bond shall not be forfeited on account of the said master not producing to the first boarding officer, any of the persons who may be discharged in a foreign country with the consent of the consul, vice-consul, commercial agent, or vice-commercial agent there residing, signified in writing, under his hand and official seal, to be produced by the collector, with the other persons composing the crew as aforesaid: nor on account of any such person dying or absconding, or being forcibly impressed into other service, of which satisfactory proof shall be then also exhibited to the collector.

Section 2.—It shall be the duty of every master of a vessel, belonging to citizens of the United States, on his arrival at a foreign port, to deposit his register, sea-letter, and Mediterranean passport, with the consul, vice-consul, or commercial agent, (if any there be at such port) and in case of refusal or neglect of the said master to deposit the said papers, he shall pay five hundred dollars, to be recovered by the said consul, in his own name for the benefit of the United States, and it shall be the duty of such consul, on such master producing to him a clearance from the proper officer to deliver to the said master all his said papers.

Duties of the master upon arriving at New-York.—He must inform his consignee of his arrival. If subject to quarantine, he must conform to the regulations prescribed by the health laws, *vide infra*. Within 24 hours, he must enter his vessel at the custom-house; but before entry, he must deliver his letters at the Post-office. Foreign vessels must be reported to the Warden of the port, and their papers deposited with the Consul of the nation to which they belong, within 48 hours after their arrival, under a penalty of not less than \$500, nor more than \$2000, in case of neglect.

The consuls are prohibited from delivering the papers to the master before he obtains a clearance from the collector, under pain of incurring a penalty of not less than \$500, nor more than \$5000. This act does not extend to the vessels of those nations, where American consuls are not permitted to have the custody of the papers of American vessels.

If he has brought any passengers, he must report to the mayor of the city, within 24 hours after the entry of his vessel, their names, ages, and occupation, upon pain of forfeiting \$50 in case of neglecting so to do. As he is obliged to find some security, that they will not become chargeable to the city, or pay \$5 as a commutation, he should procure the commutation from the passengers before they quit the ship, unless he has already charged them with it in their passage money.

Masters should be careful not to go into any of the docks belonging to the Corporation, as they are liable to pay for so doing \$10 each day they shall be there, a penalty which is rigorously exacted. They are also liable to a similar penalty, if they should anchor their vessels so as to incommode the ferry boats from New-York to Brooklyn.

A like penalty is imposed, if they shall cast an anchor in or near any of the wharves or docks, or place a cable or line across the entrance of any slip, or lie at the end of the pier with the jib-boom rigged out, or take any stones, earth, timber, or ballast, from or throw them into any dock, or bring any masts or other timber, or stages, or platforms, for working on, within any of the docks or wharves. They must also observe the following regulations of the Harbour master:

Port of New-York.—Harbour Master's Regulations.

1. No vessel shall lie moored in the stream nearer than two-thirds the distance from the wharves to Long island; nor shall any vessel lie at single anchor, within that distance, more than one day.

2. Any vessel which shall foul another, properly moored in the stream, shall be liable for all damages.

3. All vessels lying at the wharves or piers, or in the basins or slips, shall, unless otherwise directed, lie with their heads up the dock; have their lower and topsail yards well topped by the starboard lifts; their moveable fore and aft spars and spritsail yards rigged in; stern davits, out-riggers, and bumpkins unshipped; and the anchors taken up, with the crown in upon the forecastle. And any vessel which shall, through failing to comply with this regulation, be the means of damage to another, shall be liable for the damage.

4. All vessels at the end of a wharf or pier, shall haul either way, to accommodate vessels going in or coming out.

5. All vessels not discharging or receiving cargoes, shall make room for vessels needing immediate accommodation; vessels wishing to discharge, to have the preference of birth to those loading. Vessels returning, or putting into port in distress, always to be first accommodated. As to the fact of vessels being *bona fide* employed in these particulars, the Harbour-master is sole judge.

6. All vessels shall have on board a ship-keeper, or person to take care of them—and, if any vessel shall be required to remove, and no person be found on board for that purpose, the harbour-master will cause the same to be removed, at the expense of the master, owner, or consignee, who shall also be liable for all damages occasioned by such vessel.

7. No vessel shall be moored or fastened in such place or manner as shall, in any wise, obstruct or interfere with the steam or team ferry-boats, at any ferry of this city.

8. No ballast shall be thrown overboard, on this side of Sandy-hook, below low water mark; and in the harbour, all ballast must be landed above high water mark.

9. No person shall incumber any of the wharves, piers, or docks, with spars, boats, goods, or other things.

10. No vessel, loaded in whole or in part with loose hay or straw, shall be permitted to lie or come within 50 yards of any wharf, pier, or slip, while having on board any fire or lights, candle or lamp; and vessels having gunpowder on board, shall discharge the same before coming within that distance.

11. No fire shall be made or kept on board of any vessel, at any of the wharves, piers, slips, or basins, after 8 o'clock at night, or before day-light in the morning.

12. No pitch, tar, or other combustibles, shall be heated on board any vessel at any of the wharves, piers, slips or basins of this city; but all such business shall be done on floating stages or boats, or on the wharves, at least 6 feet from the edge of the wharf, and with a bucket of water always ready.

All persons failing to comply with the foregoing Regulations, are liable to a penalty of fifty dollars for each offence, and for all damages, with costs of suit.

From the above directions, masters may easily comprehend the conduct they should pursue in other ports of the United States.

COASTERS.

Masters of coasting vessels will find the duties they are required to perform by the enrollment and license act, more particularly described in chapter 18th, of ships.

By an act of March 3d, 1819, to continue in force, until 1823, March 4th, masters may capture any vessel (not being a public armed vessel of some nation in amity with the United States) whose master or crew shall attempt to seize, search, restrain, or plunder their vessels, and send such vessel into the United States, where it shall be condemned and sold for the joint benefit of the United States and captors; at the discretion of the court. They may also retake any American vessel which has been captured by such vessel.

The following forms may be found useful to masters in foreign ports :

Survey of a Ship and Furniture.

We, A. B. and C. D. ship-masters, and E. F. and G. H. shipwrights, all resident within the of , do hereby jointly and severally declare and attest, unto all whom it may concern, that on the day of , at the instance of I. K. of, &c. we went on board and alongside the called the , of the burthen of tons or thereabouts, to examine the said , her hull, masts, yards, anchors, cables, rigging, running rigging and sails, and every other store to her belonging; and having carefully and particularly inspected, examined, and surveyed the said called the , and her several stores, do report, that the said vessel's hull, masts, &c. are fit, or unfit to proceed to sea, (*as the case may be*;) all which we are ready to affirm upon oath, when thereto required. Witness our hands this day of .

Survey of Goods.

^{ss.} We whose names are hereunto subscribed have this day, at the instance and request of A. B. master of the called the , and bound on a voyage to , laden with , duly and carefully surveyed and examined the cargo of the said , which has been landed and stored in warehouses by order and direction of Mr. C. D. of the said , under his and the locks, and who is appointed for and by the said A. B. the master of the said as aforesaid: We therefore do hereby certify and declare, that on such survey we have carefully examined the whole of the said cargo, and find the same so much damaged, and in a perishable state, as not fit by any means to be reshipped. Given under our hands this day of , in the year of our Lord

Survey of Goods pursuant to a Warrant for that purpose.

ss. Pursuant to the annexed warrant of survey unto us directed, we repaired to the wharf of Mr. A. B. situate , and then and there particularly viewed, examined, and surveyed, , marked No. , landed from on board the ship or vessel called the , whereof is master, from , as the same were produced and shown to us by ; and we find, after duly inspecting the said to be (as the case may be.) This we have done, and do now report at under our hands and seals, upon oath, this day of Sworn, &c.

Valuation for Adjustment of an Average Loss.

We, A. B. and C. Dr of &c. , being by virtue of a certain writing under the hands and seals of the master and freighters of the ship or vessel, called , of the burthen of tons or thereabouts, at anchor in the port of , and lately arrived from in the island of , dated the day of requested, ordered and empowered, to adjust and settle the value of the goods and merchandises thrown overboard in the storm and bad weather, which the said ship met with in her voyage from , with the freight for the same, and of the goods remaining on board, and of the ship as she now is with her freight, and of the ship's main-mast cut in the storm for the preservation of the ship, do declare our valuation of the premises as follows :
In witness, &c.

Entries of Protests.

Master of the ship or vessel called the , of the burthen of tons or thereabouts, laden with , sailed from on the day of , also last past, where he was wind-bound until the day of the said month of when he again set sail, and arrived at the port of this day of 1806, but fearing damage, enters his protest accordingly.

Protests against the Seas.

By this public instrument of protest, &c. that on, &c. before me, J. B. notary public, &c. personally came and appeared A. B. master of the ship or vessel called the , of the burthen of tons or thereabouts, belonging to the port of , and C. D. first mate of the said ship; who severally declared, that the said ship or vessel being laden with , on the day of last past, they the said appearers set sail on board the said ship from in , bound directly to this port of ; and that the said ship in the prosecution of her said voyage, on the day of the said month of , was overtaken by a violent storm and gale of wind, &c. (as the case may be,) in which she shipped very great seas, the water making free passage over the said ship; and that on the day of the said month, the said storm continuing, the sea broke away one of the dead-lights, which was lost, and the said ship was obliged to get before the wind until another dead-light was fixed; after which the said ship proceeded to this port of , and made land on the day of instant, the wind being and , and afterwards made the best of her way for , where she arrived and moored at , on the day of instant, at o'clock in . And the said appearers did further severally declare, that the said ship, at the time of her departure from aforesaid, upon the said intended voyage, was tight, staunch, and strong, and had her hatches well and sufficiently caulked and covered, and was well and sufficiently manned, provided, and furnished with all things needful and necessary for the said voyage; and that during the said voyage, the appearers and ship's company used their utmost endeavours to preserve the said ship, and the goods of her loading from damage: And therefore the said A. B. did declare and protest, as by these presents he doth solemnly protest, against all and every person or persons whom it shall or may concern; and does declare, that all damages, losses and detriments, that have happened to the said ship and the goods of her loading, are and ought to be borne by the merchants and freighters interested, or whomsoever else it shall or may concern, (by way of average or otherwise,) the same having occurred as before mentioned, and not by or through the insufficiency of the said ship, or neglect of the said appearer, his officers, or any of his mariners. Of all which act, &c.

Affidavit of the truth of a Protest.

ss. A. B. master, C. D. first mate, and E. F. second mate (*as the case may be*) of the ship or vessel called the _____, being severally duly sworn, do severally make oath and say, that the instrument of protest hereunto annexed, hath been clearly and distinctly read over to them these deponents, and that the several matters and things therein contained are right and true in all respects, as the same are therein particularly alleged, declared, and set forth. Sworn by all the said deponents this _____ day of _____, before me.

CHAPTER X.

OF SEAMEN.

The mariners must obey all the commands of the master relating to the navigation of the ship, and the preservation of good order. In case of disobedience he may correct them in a reasonable manner. Such an authority is necessary to the safety of the whole. But he should be very careful not to suffer his authority to degenerate into cruelty or oppression, as he may be called upon by an action, to answer for the same upon his return to this country; and if he cannot show that there was a sufficient cause for chastisement, the seaman may recover damages proportionate to the injury.

A mariner may be discharged by the master for misbehaviour, but slight and venial offences will not justify a discharge. And if the mariner repent and offer satisfaction, and return to his duty, the master is bound to receive him.

For the benefit of seamen, discharged in a foreign country without having given cause by misbehaviour, it has been enacted, that three months' pay, over and above the wages due to them, shall be paid to the American consul at that port, two-thirds of it for their use when they have taken passage for the United States.—*Vide Chap. Masters.*

Negligence of mariners.—Masters may reimburse themselves out of the wages of their mariners, for losses happening by their negligence.

Suing for wages in the District Courts.—The convenience arising to mariners suing for wages in the District Courts is so great, that, out of regard to that useful body of men, it is permitted that they may sue for wages there by attaching the ship. But although this liberty is given to mates and mariners, it is denied to the master; for, the master contracts upon the credit of the owners, and the mariners upon the credit of the ship. The convenience and benefit accruing to the mariners from this practice, are, 1st. That they may *all join* in a suit there for wages, (thereby lessening the expense,) which could not be done by the usual courts of common law; and, 2d. In the District Courts, the ship itself is answerable, and not the owners.

Even if a master of a ship design to go a voyage, and hires and takes on board seamen in order to it; afterwards the owners cannot agree about sending the ship the voyage, and the seamen are thereupon discharged; the seamen have the same remedy in the district courts for their wages, as if the ship had gone the voyage.

In what cases wages are due.—If a ship be lost before she arrive at any port of delivery, the seamen lose all their wages. But if the ship be forfeited through the misconduct of the owners or master, the rule that the voyage should be performed does not deprive them of their wages; unless they had notice that the voyage was illegal.

They cannot insure their wages either directly, or through the owner; therefore the owner is not liable, in case of the loss of the ship, if he has received freight from the insurers. But he is liable, if freight be paid by captors to a neutral.

A mariner cannot claim higher wages, in consequence of a promise made to him in time of distress, to animate him to greater exertions.

If she be lost after coming to a port of delivery, they only lose their wages from the last port of delivery; and, even though the officers and mariners gave bond not to demand wages unless the ship returned to London, she arrived at a delivering port, and afterwards was taken by an enemy, they had their wages to the delivering port. If they run away, though after coming to a port of delivery, they lose all their wages.

If a ship outward bound arrives at her destined port, unloads there, receives freight to return to England, and is taken by enemies in her return, the mariners shall have their wages to the time she arrived at the port she unloaded in, and for half the time she staid there to unload.

If a seaman be impressed before the ship arrive at the delivering port, and she afterwards arrive there safe, his wages are recoverable for the time he served. But, if a ship be taken and ransomed, and the men impressed before she arrived at the delivering port, Judge Holt was of opinion no wages are recoverable by the men impressed.

If a mariner be impressed, and escape, and before the completion of the voyage overtake the ship, and proceed in her to the destined port, he is entitled to wages for the whole voyage. So if he tender his services, and they are refused.

Masters must report all impressions which have been made during the voyage, in order that the government of the United States may at once procure satisfaction, for the usurpation and insult, and not wait until long endurance shall create a belief of right on the part of the nation which authorizes the impressment.

He is also entitled to wages for the whole voyage, if compelled to leave the ship by cruelty and ill treatment.

A seaman of a neutral is allowed wages for the voyage, if he be taken out by the captor, and the vessel be afterwards released by the judgment of the court; but wages are denied if the seamen refuse to re-enter when in their power.

If the voyage be broken up, extra wages are allowed according to the discretion of the court of admiralty.

In cases of embargo, and of capture and recapture, if the ship afterwards perform the voyage and earn freight, the seamen are entitled to their wages for the whole time, provided they stay by the ship.

His wages are subject to a deduction in the last case, on account of salvage.

A mariner forfeits his wages by an embezzlement of any part of the cargo. 2 *Cranch*, 266.

And unless the embezzlement can be fixed upon a particular person, the whole crew are bound to contribute out of their wages to make good the loss. 3 *Johns*. 17. 1 *Pet*. 243.

An action was brought by a sailor for wages in a voyage from Barnstable to Newfoundland, and thence to Spain, Portugal, or some port in the Mediterranean. The ship was taken after her arrival at Newfoundland, and the action was brought for the wages due on that part of the voyage. Verdict was given for the defendant; but, on motion for a new trial, it was the opinion of the court that it was all one entire voyage. The fish is only the lading of the ship; no matter where taken in. And the ship was lost before its arrival at the port of delivery: as the freighter lost his cargo, the mariner ought to lose his wages.

A sailor was hired for a voyage from Jamaica to Liverpool, and took of the captain, this promissory note: "Ten days after the ship Governor Parry, myself master, arrives at Liverpool, I promise to pay to Mr. T. Cutter, the sum of thirty guineas, provided he proceeds, continues, and does his duty, as second mate in the said ship, from hence to the port of Liverpool. Kingston, July 31, 1793." The ship sailed on the second of August, and arrived at Liverpool on the 9th of October following; but T. Cutter died on his passage the 20th of September. An action was brought by his administratrix; and the court were of opinion, that, as there was no general usage among merchants with respect to these notes, in such a case as the present, they must decide, that as T. Cutter did not continue to do his duty till arrival at Liverpool, his representative could recover nothing even for that part of the time in which he did duty. *Cutter v. Powel*, 6 Term Rep. 320.

The cargo of a ship was lost by the capture of a Swedish privateer, which carried her into Gothenburgh: the master staid there three months to refit and take in new lading; and, to prevent the seamen from going away, he agreed to pay them so much a month while they staid there. And in an action for this, the master would have discharged himself on the rule, that *freight is the mother of wages, and that none are ever paid while the ship is lading and unlading*; which the chief justice agreed to be the general doctrine: but he held it not sufficient to set aside a special agreement, as there was in this case. The seamen therefore recovered their wages.

By a law of the United States for the government and regulations of seamen in the merchants' service, it is provided:—

That every master of any vessel bound from a port in the United States, to any foreign port, or of any vessel of the burden of fifty tons or upwards, bound from a port in one state to a port in any other than an adjoining state, shall, before he proceed on such voyage, make an agreement in writing or in print, with every mariner on board such vessel, (except such as shall be apprentice or servant to himself or owners,) declaring the voyage or terms of time for which such mariner shall be shipped. And if any master of such vessel shall carry out any mariner (except apprentices or servants as aforesaid) without such contract being first made and signed by the mariners, such master shall pay to every such mariner, the highest price of wages which shall have been given at the port where such mariner shall have been shipped, for a similar voyage, within three months next before the time of such shipping: Provided such mariner shall perform such voyage; or if not, then for such time as he shall continue to do duty; and shall moreover, forfeit twenty dollars for every such mariner, one half to the use of the person prosecuting for the same, the other half to the use of the United States; and such mariner, not having signed such contract, shall not be bound by the regulations contained in this act.

At the foot of every such contract, there shall be a memorandum, in writing, of the day and the hour on which such mariner, who shall so ship and subscribe, shall render themselves on board, to begin the voyage agreed upon. And if any such mariner shall neglect to render himself on board the vessel, for which he has shipped, at the time mentioned in such memorandum, and if the master, or other officer of the vessel, shall, on the day on which such neglect happened, make an entry in the log-book of such vessel, of the name of such mariner, and shall in like manner note the time that he so neglected to render himself, (after the time appointed,) every such mariner, shall forfeit for every hour which he shall so neglect to render himself, one day's pay, according to the rate of wages agreed upon, to be deducted out of his wages. And if any such mariner shall wholly neglect to render himself on board of such vessel, or having rendered himself on board, shall afterwards desert and escape, so that the vessel proceed to sea without him, every such mariner shall forfeit and pay the master, owner, or consignee, a sum equal to that which shall have been paid to him by advance at the time of signing the contract, over and besides the sum so advanced.

If the mate, or first officer under the master, and a majority of the crew, of any vessel, bound on a voyage to any foreign port, shall, after the voyage is begun (and before the vessel shall have left the land) discover that the said vessel is too leaky, or is otherwise unfit to proceed on the intended voyage; and shall require such unfitness to be inquired into, the master, shall, upon the request of the said mate (or other officer) and such majority, forthwith proceed to or stop at the nearest or most convenient place, where such inquiry can be made, and shall there apply to the judge of the district court, if he shall there reside, or if not, to some justice of the peace, taking with him two or more of the said crew, who shall have made such request; and thereupon such judge or justice, is required to issue his precept directed to three persons in the neighbourhood, the most skilful in maritime affairs, requiring them to repair on board such vessel, and to examine the same, and to make report to him, the said judge or justice, in writing under their hands, or the hands of two of them, whether in any, or in what respect the said vessel is unfit to proceed on the intended voyage, and what addition of men, provisions, or stores, or what repairs or alterations in the body, tackle, or apparel, will be necessary; and upon such report, the said judge or justice shall adjudge and determine, and shall endorse on the said report, his judgment, whether the said vessel is fit to proceed on the intended voyage; and if not, whether such repairs can be made, or deficiencies supplied where the vessel then lies, or whether it be necessary for the said vessel to return to the port from whence she first sailed, to be there refitted; and the master and crew, shall in all things conform to the said judgment; and the master or commander shall, in the first instance, pay all the costs of such view, report, and judgment, to be taxed and allowed on a fair copy thereof, certified by the said judge or justice. But if the complaint of the said crew shall appear upon the same report and judgment, to have been without foundation, then the said master, or the owner, or consignee, of such vessel, shall deduct the amount thereof, and of reasonable damages for the detention (to be ascertained by the said judge or justice,) out of the wages growing due to the complaining mariners. And if, after such judgment, such vessel is fit to proceed on her intended voyage, or after procuring such men, provisions, stores, repairs, or alterations, as may be directed, the said mariners, or either of them, shall refuse to proceed on the voyage, it shall and may be lawful for any justice of the peace to commit by warrant under his hand and seal, every such mariner to the common gaol of the county, there to remain until he shall have paid double the sum advanced to him at the time of subscribing the contract for the voyage, together with such reasonable costs as shall be allowed by the said justice, and inserted in the said warrant, and the surety or sureties of such mariner shall remain liable for such payment.

If any person shall harbour or secrete any mariner belonging to any ship or vessel, knowing them to belong thereto, every such person, on conviction thereof, shall pay ten dollars for every day which he, she, or they, shall continue so to harbour or secrete such mariner, one half to the use of the person prosecuting the same, the other half to the use of the United States; and no sum, exceeding one dollar, shall be recoverable from any mariner by any one person, for any debt contracted during the time such mariner shall actually belong to any vessel, until the voyage for which such mariner engaged shall be ended.

If any mariner, who shall have subscribed such contract as is herein before subscribed, shall absent himself from on board the vessel in which he shall so have shipped, without leave of the master or officer commanding on board; and the officer having charge of the log-book, shall make an entry therein of the name of such mariner, on the day on which he shall so absent himself; and if such mariner shall return to his duty within forty-eight hours, such mariner shall forfeit three days pay for every day which he shall so absent himself, to be deducted out of his wages; but if any mariner shall absent himself for more than forty-eight hours at one time, he shall forfeit all the wages due to him, and all his goods and chattels which were on board the said ship or vessel, or in any store where they may have been lodged at the time of his desertion, to the use of the owner of the vessel, and moreover shall be liable to pay to him or them all damages which he or they may sustain by

being obliged to hire other mariners in his or their place, and such damages shall be recovered with costs.

Every mariner shall be entitled to demand and receive from the master of the vessel to which he belongs, one-third part of the wages which shall be due to him at every port where such vessel shall unlade and deliver her cargo before the voyage be ended, unless the contrary be expressly stipulated in the contract; and, as soon as the voyage is ended, and the cargo or ballast be fully discharged at the last port of delivery, every mariner shall be entitled to the wages which shall be then due according to his contract; and if such wages shall not be paid within ten days after such discharge, or if any dispute shall arise between the master and mariners touching the said wages, it shall be lawful for the judge of the district where the said vessel shall be, or in case his residence be more than three miles from the place, or of his absence from the place of his residence, then for any judge or justice of the peace to summon the master of such vessel to appear before him, to show cause why process should not issue against such vessel, her tackle, furniture, and apparel, according to the course of admiralty courts, to answer for the said wages; and if the master shall neglect to appear, or appearing, shall not show that the wages are paid, or otherwise satisfied, or forfeited, and if the matter in dispute shall not be forthwith settled, in such case the judge or justice shall certify to the clerk of the court of the district, that there is sufficient cause of complaint whereon to found admiralty process, and thereupon the clerk of such court shall issue process against the said vessel, and the suit shall be proceeded on in the said court, and final judgment be given according to the course of admiralty courts in such cases used; and in such suit, all the mariners (having cause of complaint of the like kind against the same vessel) shall be joined as complainants; and it shall be incumbent on the master to produce the contract and log-book, if required, to ascertain any matters in dispute; otherwise the complainants shall be permitted to state the contents thereof, and the proof of the contrary shall lie on the master; but nothing herein contained shall prevent any mariner from having or maintaining any action at common law for the recovery of his wages, or from immediate process out of any court having admiralty jurisdiction, wherever any vessel may be found, in case she shall have left the port of delivery where her voyage ended, before payment of the wages, or in case she shall be about to proceed to sea before the end of the ten days next after the delivery of her cargo or ballast.

If any mariner, who shall have signed a contract to perform a voyage, shall, at any port or place, desert, or shall absent himself from such vessel, without leave of the master, or officer commanding in the absence of the master, it shall be lawful for any justice of the peace within the United States (upon the complaint of the master) to issue his warrant to apprehend such deserter, and bring him before such justice; and if it shall then appear, by due proof, that he has signed a contract within the intent and meaning of this act, and that the voyage agreed for is not finished, altered, or the contract otherwise dissolved, and that such mariner has deserted the vessel, or absented himself without leave, the said justice shall commit him to the house of correction or common goal until the said vessel shall be ready to proceed on her voyage, or till the master shall require his discharge, and then to be delivered to the said master, he paying all costs of such commitment, and deducting the same out of the wages due to such mariner.

Every vessel, belonging to a citizen of the United States, of the burthen of 150 tons or upwards, navigated by ten or more persons in the whole, and bound on a voyage without the limits of the United States, shall be provided with a chest of medicines, put up by some apothecary of known reputation, and accompanied by directions for administering the same; and the said medicines shall be examined by the same or some other apothecary, once at least in every year, and supplied with fresh medicines in the place of such as shall have been used or spoiled; and in default of having such medicine chest so provided, and kept fit for use, the master of such vessel shall provide and pay for all such advice, medicine, or attendance of physicians, as any of the crew shall stand in need of, in case of sickness, at every port or place where the vessel may touch or trade at during the voyage, without any deduction from the wages of such mariner.

The provisions of this section by an Act of the 2d March, 1805, are extended to all vessels of 75 tons and upwards, navigated by six or more persons, bound to the West-Indies.

Every vessel, belonging as aforesaid, bound on a voyage across the Atlantic ocean, shall at the time of leaving the last port whence she sails, have on board, well secured under deck, at least sixty gallons of water, one hundred pounds of salted flesh meat, and one hundred pounds of wholesome ship bread, for every person on board such vessel, over and besides such other provisions, stores, live stock, as shall, by the master or passengers, be put on board, and in like proportion for shorter or longer voyages; and, in case the crew of any vessel, which shall not have been so provided, shall be put upon short allowance in water, flesh, or bread, during the voyage, the master or owner shall pay to each of the crew one day's wages beyond the wages agreed on for every day they shall be so put to short allowance, to be recovered in the same manner as their stipulated wages.

STATE OF VIRGINIA.

Be it enacted, That, if any seaman, not being a citizen of that State, or any of the United States, who shall have signed a contract to perform a voyage on board any merchant ship or vessel, shall at any place within the commonwealth, desert, it shall be lawful for any justice of the peace, upon the complaint of the master, or other officer commanding, to issue his warrant to apprehend such seaman; and, if it shall appear, that such seaman has signed a contract as aforesaid, and that the voyage agreed for is not finished, altered, or the contract otherwise dissolved, and that the seaman has deserted, or absented himself without leave, the said justice shall commit him to gaol, there to remain until such vessel shall be ready to proceed, or until the master or other officer commanding, shall require his discharge, he paying the cost of such commitment.

That, if any apprentice, who shall have been regularly bound by deed to the master, or owner, of any vessel, for any term of years, for the purpose of being taught the art, trade, or mystery, of a seaman or mariner, shall, at any place within the Commonwealth, desert, it shall be lawful for any justice, upon complaint of the master, or other officer commanding, to cause such apprentice to be apprehended and dealt with in the same manner as herein-before stated, if such justice shall be satisfied by due proof that such apprentice hath been regularly bound, and that the deed is then in-force. Provided always, that if any seaman or apprentice shall offer sufficient proof to satisfy the justice, that he hath been cruelly or improperly treated while on board any vessel by the master thereof, or that he hath good cause to apprehend danger to his person from the master, should he be compelled to remain on board such ship or vessel, it shall be lawful for the justice to discharge such seaman, mariner, or apprentice, from all further confinement on account of such desertion or absence.

STATE OF GEORGIA.—SEAMEN AND MARINERS.

An ACT to punish Seamen or Mariners, neglecting or deserting their Duty on board their respective Ships or Vessels; and for preventing Seamen or Mariners from being harboured, or running in Debt.

Be it enacted, That, if any seaman, having entered on board any vessel within this province, or which shall come to the same, and having signed an agreement with the master to proceed upon any voyage therein-mentioned, shall absent himself from such vessel for the space of twenty-four hours, without leave had and obtained from the said master, or other chief officer, or shall refuse or neglect to perform his duty, it shall be lawful for any justice, upon application being made to him by such master, to issue his warrant, to apprehend such seaman, and upon proof of such absence, without leave had and obtained, to commit such seaman to gaol for any time not exceeding thirty days, and the charge of apprehending, committing, and maintaining such seaman, during his confinement, shall be paid by the complainant, which he may deduct out of the wages due to such seaman.

If any person shall give credit to any seaman, belonging to any vessel within this province, having signed an agreement to proceed as aforesaid, for any sum exceeding five shillings, except by leave of the master, he, she, or they, so giving credit, shall, for every such offence, lose the moneys or goods so credited.

If any person shall willingly and knowingly harbour, or keep, suffer to be harboured, or kept, any mariner belonging to any vessel, and having signed any agreement as aforesaid, in his, her, or their house, without the leave of the master of such vessel, he, she, or they, so offending, shall forfeit the sum of forty shillings sterling for every twenty-four hours such mariner is harboured or kept.

Every keeper of taverns, or any other person, who shall sell any spiritous liquor whatever, to any seaman, having signed any agreement as aforesaid, to the amount of more than one shilling and sixpence in any one day, or shall suffer any seaman as aforesaid, to drink or tipple in his, her, or their, house, or furnish such seaman with any liquor, after the hours of nine of the clock at night, unless with the knowledge, or by the consent, of the master of the vessel to which such seaman shall belong, such person so offending shall, upon proof, forfeit the sum of twenty shillings sterling.

Any mariner, whose agreement entered into with any master of any vessel within this province, for the performance of any voyage therein specified, shall be fulfilled and determined, may demand, of the master, a certificate thereof, and of his discharge from such vessel, which certificate such master is hereby required to give, under the penalty of five pounds sterling, to be recovered by warrant of distress, and sale of the offender's goods under the hands and seals of any two justices of the peace, one half of which shall be applied to the informer, and the other half to the poor; and, upon refusal of said master, give such certificate without just cause, any two justices of the peace, upon due application and proof thereof, are hereby empowered to give such certificate, which shall be of

equal force, as if given by such master; and such justices shall receive for every such certificate, so given by them as aforesaid, the sum of one shilling sterling, to be paid by such master.

No master of any vessel within this province, shall hire, receive, entertain, or ship, any seamen belonging to, and pretending to be discharged from any other vessel, unless such seaman shall have a certificate of his discharge as aforesaid, under the penalty of ten pounds sterling.

If any person keeping any ferry, shall willingly or wilfully transport, or suffer to be transported, over such ferry, any fugitive seaman, not having a certificate, as directed by this act, he or they shall, upon conviction thereof, forfeit five pounds sterling.

Abstracts from the Laws of New-York, interesting to Masters and Mariners.

The Marine Court in the City of New-York, is held by three Justices, or either of them, who are appointed by the governor. They are remunerated by the fees which are paid by the suitors in the said court, to hear, try, and determine, all actions of debt, detinue, accounts, covenant, trespass on the case, and trespass, including trespass on any land or other real estate, wherein the sum or balance due, or thing demanded, shall exceed twenty-five dollars and not exceeding one hundred dollars; and also, all actions and informations upon any statute, of this state, and upon the charter or any by-law of the corporation of the city, where the penalty or forfeiture shall exceed twenty-five dollars and not exceed one hundred dollars, and also, all actions to be brought by any mariner, or other person belonging to any vessel in any merchant service, against the owner or commander of any such vessel, for the non-performance, or breach, of any contract made by such mariner, or other person, with the said owner or commander, for services, on board of any vessel, during any voyage performed, or in part performed notwithstanding such wages, compensation, or damages, shall exceed fifty dollars; and the said court shall also have power to try, and determine, all actions to be brought by any owner or commander, of any vessel, in any merchant service, against any person belonging to such vessel, for or by reason of the non-performance of any contract made by such person with such owner or commander, for services to be performed by him as on board such vessel, for any voyage performed wholly or in part, or intended to be performed, notwithstanding the damages sustained, shall exceed fifty dollars; and also, all actions for assault and battery, or false imprisonment, committed by any master of any vessel, in any merchant service, upon any officer, or other person on board of, or belonging to, such vessel on the high seas, or in any foreign port or place, where such vessel may then be, of which the ordinary courts of law of this state, now have cognizance; and all actions for assault and battery or false imprisonment, committed by any officer of any such vessel, upon any person on board of, or belonging to, such vessel, or by any person on board of, or belonging to, such vessel, upon the master, or other officers thereof, or by one person on board of, or belonging to, such vessel, upon another person on board of, or belonging to such vessel upon the high seas, or in any foreign port or place, of which the ordinary courts of law of this state, now have cognizance, notwithstanding the damages sustained, shall exceed fifty dollars; and for the purpose of hearing, trying, and determining, all such actions, such court is hereby vested with all such power and authority as is vested in other courts of record in this state. Provided always, that, nothing herein contained shall be construed to give the said court power to proceed, as a court of admiralty or maritime jurisdiction; nor shall the authority of the said court extend to any debt or demand, for any money or thing won, at or by means of any kind of gaming, play, or wager, although the same shall not exceed the sum or value of fifty dollars; nor to any action wherein the people of this state shall be concerned, or where the title of any lands shall in anywise come in question, except actions of trespass on land, or other real estate, or to any action of assault and battery, or false imprisonment, other than those committed on the high seas, or in a foreign port, nor to matters of account where the sum total of the accounts of both parties exceeds in the amount, the sum of two hundred dollars, nor to any action to be brought by or against any executor or administrator, for any debt or demand due to or from the estate of any testator or intestate.

That, in all cases where a warrant shall issue out of the said court, to be holden before the said justices, if the plaintiff or defendant shall require a longer time than is first appointed, and will, if required, give sufficient security to appear and stand trial on such other days as shall be appointed, and pay the debt, damages, and costs, in case judgment shall be given against him or her, then the said court shall adjourn the said cause to any time they may think proper and convenient, not exceeding twelve days.

Provided also, That execution may be forthwith issued, whenever judgment shall be given in any maritime cause of which the court has jurisdiction: and execution shall not be delayed by the giving of security.

CHAPTER X.

OF CONSULS.

By the custom of all maritime nations, consuls or commercial agents are appointed, in the principal ports of civilized countries, to attend to the interests of all citizens of their respective countries, who may be obliged to have recourse to the public authorities of the country. They are considered as representing the commercial interests of their governments, in the various places where they are stationed.

By the laws of the United States, consuls and vice consuls of the United States have the right, in the places to which they are, severally appointed, of receiving the protests or declarations, which such captains, masters, crews, passengers, and merchants, as are citizens of the United States, and also such as any foreigner may choose to make before them, relative to the personal interest of any citizens of the United States, and the copies of the said acts, duly authorized by the said consuls or vice consuls, under the seal of their consulates, respectively, shall receive faith in law, equally as their originals would in all courts in the United States. It is their duty, where the laws of the country permit, to take possession of the personal estate left by any citizen of the United States, other than seamen belonging to any vessel, who shall die within their consulates, leaving there no legal representative, partner in trade, or trustee by him appointed, to take care of his effects; they must inventory the same, with the assistance of two merchants of the United States, or for want of them, of any others, at their choice: collect the debts due to the deceased in the country where he died, and pay the debts due from his estate which he shall have there contracted; sell at auction, after reasonable public notice, such part of the estate as shall be of a perishable nature, and such further part, if any, as shall be necessary for the payment of his debts, and, at the expiration of one year from his decease, the residue; and the balance of the estate transmit to the treasury of the United States, to be holden in trust for the legal claimants. But if, at any time before such transmission, the legal representative of the deceased shall appear and demand his effects in their hands, they must deliver them up, being paid their fees, and cease their proceedings.

For the information of the representative of the deceased, it is the duty of the consul or vice consul, authorized to proceed as aforesaid in the settlement of his estate, immediately to notify his death in one of the gazettes publishes in the consulate, and also to the secretary of state, that the same may be notified in the state to which the deceased shall belong; and as soon as may be, transmit to the secretary of state an inventory of the effects of the deceased taken as before directed.

Consuls and vice consuls, in cases where vessels of the United States shall be stranded on the coasts of their consulates, as far as the laws of the country will permit, take proper measures, as well for the purpose of saving the said vessels, their cargoes and appertences, as for securing the effects and merchandise saved, and for taking an inventory thereof: and the merchandise and effects saved, with the inventory shall, after deducting the expense, be delivered to the owners. But no consul or vice consul has authority to take possession of any such goods, or other property, when the master, owner, or consignee thereof, is present, or capable of taking possession of the same.

It is lawful for every consul and vice consul of the United States to take and receive the following fees of office:

For authenticating, under the consular seal, every protest, or other act, which such captains, or others, as are citizens of the United States, may respectively choose to make, the sum of two dollars.

For the taking into possession, inventorying, selling, and finally settling and paying, or transmitting, as aforesaid, the balance due on the personal estate left by any citizen of the United States who shall die within the limits of his consulate, five per centum on the gross amount of such estate.

For taking into possession, and otherwise proceeding on, any such estate which shall be delivered over to the legal representative before a final settlement of the same, as is herein-before directed, two and an half per centum on such part delivered over as shall not be in money, and five per centum on the gross amount of the residue.

And it is the duty of the consuls and vice consuls of the United States, to give receipts for all fees which they shall receive by virtue of this act, expressing the particular services for which they are paid.

Every consul and vice consul shall, before they enter on the execution of their trusts, give bond, with such sureties as shall be approved by the secretary of state, in a sum of not less than two thousand, nor more than ten thousand dollars, conditioned for the true and faithful discharge of the duties of his office, according to law, and also for truly ac-

counting for all moneys, good, and effects, which may come into his possession by virtue of this act; and the said bond shall be lodged in the office of the secretary of the treasury.

The specification of certain powers and duties in this act to be exercised or performed by the consuls and vice consuls of the United States, shall not be construed to the exclusion of others resulting from the nature of their appointments, or any treaty or convention under which they may act.

No consul of the United States, residing on the Barbary coast, shall own, in whole or in part, any ship or vessel, to be concerned, directly or indirectly, in the exportation from, or importation to, any of the states on the coast of Barbary, of any goods, wares, or merchandise, on penalty, that every consul so offending, and being thereof convicted, shall, for every offence, forfeit a sum not exceeding one thousand dollars.

By an act passed April 20th, 1818, owners of goods subject to an ad valorem duty, living out of the United States, must declare on oath, before a consul of the United States, if one be in the country from which they are imported, that the prices charged in the invoice are the current prices at the place of manufacture, and also whether they are the manufacturer's in whole or in part; otherwise they cannot be entered at the custom-house. If there is no consul, the oath must be made before a notary public, whose official character must be certified by a consul of some power in amity with the United States. The fee of the consul for such certificate is \$2.

* Three months pay must be paid to the consuls for each seaman discharged abroad, two-thirds for the seamen, and one-third towards a fund for the relief of American seamen in foreign ports. The consuls must account every six months for the same with the treasury department.

Section 4.—It is the duty of the consuls, vice-consuls, commercial agents, and vice-commercial agents of the United States, from time to time to provide for the mariners of the United States, who may be found destitute within their districts respectively, sufficient subsistence, and passages to some port in the United States, in the most reasonable manner, at the expense of the United States, subject to such instructions as the secretary of state shall give; and all masters of vessels belonging to citizens of the United States, and bound to some port of the same, are required to take such mariners on board of their vessels, at the request of the said consuls, and to transport them to the port in the United States to which such vessels may be bound, on such terms, not exceeding ten dollars for each person, as may be agreed between the said master and consul, or commercial agent. And the said mariners shall, if able, be bound to do duty on board such vessels according to their several abilities. No master of any vessel is obliged to take a greater number than two men to every one hundred tons burthen of the said vessel, on any one voyage; and if any such master should refuse the same on the request of the consul, vice-consul, commercial agent, or vice-commercial agent, he shall forfeit the sum of one hundred dollars for each mariner so refused, to be recovered for the benefit of the United States, in any court of competent jurisdiction. And the certificate of any such consul or commercial agent, given under his hand and official seal, shall be *prima facie* evidence of such refusal.

Section 6.—Every consul, vice-consul, commercial agent, or vice-commercial agent, of the United States, shall receive for every certificate of discharge of any mariner in a foreign port, fifty cents; and for commission on paying and receiving the amount of wages payable on the discharge of seamen in foreign ports, two and a half per centum.

Section 7.—If any consul, vice-consul, commercial agent, or vice-commercial agent, shall falsely and knowingly certify, that property belonging to foreigners is property belonging to citizens of the United States, he shall, on conviction thereof, forfeit and pay a fine not exceeding ten thousand dollars, at the discretion of the court, and be imprisoned for any term not exceeding three years.

Section 8.—If any consul, vice-consul, commercial agent, or vice-commercial agent, shall grant a passport or other paper certifying that any alien, knowing him or her to be such, is a citizen of the United States, he shall, on conviction thereof, forfeit and pay a fine not exceeding one thousand dollars.

Section 9.—All powers of attorney executed after the thirtieth day of June next, in a foreign country, for the transfer of any stock of the United States, or for the receipt of interest thereon, shall be verified by the certificate and seal of a consul, vice-consul, commercial agent, or vice-commercial agent, if any there be at the place where the same shall be executed, for which the person giving the certificate shall receive fifty cents.

It should be remembered, that though an American consul is protected by his official character whilst he confines himself to his official duties, the English Admiralty Courts have refused to consider consuls in any other light than merchants, after they have engaged in commerce; that is, they will not permit them to take advantage, as merchants, of the privileges of their official characters. It is to be presumed and hoped, that the government of the United States will in this, as in all other cases, adopt the rule of reciprocity.

CHAPTER XI.

HOSPITAL LAWS.

The master or owner of every vessel of the United States, arriving from foreign parts, must, before entry, pay to the collector twenty cents per month, for every seaman who shall have been employed since the vessel left the United States.

Masters of coasters are obliged, before they can obtain a new license, or enrolment, to pay the like for every seaman employed during the continuance of his last license. The penalty of rendering a false account of the seamen is \$100.

The collectors must make quarterly returns of these moneys to the treasury, and the president is authorized to provide for the relief and maintenance of sick and disabled seamen out of the said fund.

The same sum is exacted from the raftmen and boatmen on the Mississippi, and they are entitled to the same privileges. Foreign seamen are to be admitted into the hospitals, when it can be done with convenience, who are to be charged 75 cents per day for each person, which charge must be paid before the vessel to which they belong, can obtain her clearance. This money goes into the same fund.

Twenty cents per month is also deducted from the pay of the officers, seamen, and mariners, in the navy of the United States, for the same purpose; and they are entitled to relief from the Navy Hospital fund, under the direction of the Secretaries of the Navy, Treasury, and War Departments.

All fines imposed on navy officers, seamen, and mariners, are appropriated to the navy hospital fund. When any of these persons are admitted into a navy hospital, the institution is allowed one ration per day by the United States, and, if he is entitled to a pension, such pension, during his stay, shall be paid to the commissioners, and deducted from his pension.

In the state of New-York, steerage passengers, mates, and seamen, are compelled to pay \$1 for each foreign voyage, towards the state hospital fund; and the captains and cabin passengers \$1. 50; and the officers and mariners of coasting vessels pay 25 cents for the same purpose upon their arrival; provided that those from New-Jersey, Connecticut, and Rhode Island, shall not pay oftener than once a month. This hospital money must be paid at the office of the Health Commissioners, by the masters of coasters, within 24 hours after the arrival of their vessel, under the penalty of \$100.

For the sums to be paid in other ports, *vide* Quarantine Laws.

The hospital fund requires the attention of the government. It is not large enough to support an establishment commensurate with the wants of the seamen, and, at the same time, many are admitted to participate in its advantages who should in equity, be debarred, but who are comprehended by the letter of the law. We mean those who do not go to sea more than a fourth part of their time, or who, perhaps, have never made more than one voyage.

CHAPTER XII.

NAVY.

The following rules and regulations* are prescribed by congress for the government of the navy of the United States.

ART. I. The commanders of all ships and vessels of war, belonging to the navy, are strictly enjoined and required to show, in themselves, a good example of virtue, honour, patriotism, and subordination; and be vigilant in inspecting the conduct of all such as are placed under their command; and to guard against, and suppress, all dissolute and immoral practices, and to correct all such as are guilty of them according to the usage of the sea service.

* Act of 23d April, 1800.

2. The commanders of all ships and vessels in the navy, having chaplains on board, shall take care that divine service be performed in a solemn, orderly, and reverent manner, twice a day, and a sermon preached on Sunday, unless bad weather, or other extraordinary accidents prevent it; and that they cause all, or as many, of the ship's company as can be spared from duty, to attend at every performance of the worship of Almighty God.

3. Any officer, or other person, in the navy, who shall be guilty of oppression, cruelty, fraud, profane swearing, drunkenness, or any other scandalous conduct, tending to the destruction of good morals, shall, if an officer, be cashiered, or suffer such other punishment as a court martial shall adjudge: if a private, shall be put in irons, or flogged, at the discretion of the captain, not exceeding twelve lashes; but if the offence require severer punishment, he shall be tried by a court martial, and suffer such punishment as said court shall inflict.

4. Every commander, or other officer, who shall, upon signal for battle, or on the probability of an engagement, neglect to clear his ship for action, or shall not use his utmost exertions to bring his ship to battle, or shall fail to encourage, in his own person, his inferior officers and men to fight courageously, such offender shall suffer death, or such other punishment as a court martial shall adjudge, or any officer neglecting, on sight of any vessel or vessels of an enemy, to clear his ship for action, shall suffer such punishment as a court martial shall adjudge: And if any person in the navy shall treacherously yield, or pusillanimously cry for quarters, he shall suffer death, on conviction thereof by a general court martial.

5. Every officer or private who shall not properly observe the orders of his commanding officer, or shall not use his utmost exertions to carry them into execution, when ordered to prepare for, join in, or when actually engaged in, battle; or shall, at such time, basely desert his duty or station, either then or while in sight of an enemy, or shall induce others to do so, every person so offending shall, on conviction thereof by a general court martial, suffer death, or such other punishment as the said court shall adjudge.

6. Every officer or private who shall, through cowardice, negligence, or disaffection, in time of action withdraw from, or keep out of, battle, or shall not do his utmost to take or destroy every vessel which it is his duty to encounter, or shall not do his utmost endeavour to afford relief to ships belonging to the United States, every such offender shall, on conviction thereof by a general court martial, suffer death, or such other punishment as the said court shall adjudge.

7. The commanding officer of every ship or vessel in the navy, who shall capture, or seize upon, any vessel as a prize, shall carefully preserve all the papers and writings found on board, and transmit the whole of the originals, un mutilated, to the judge of the district to which such prize is ordered to proceed, and shall transmit to the navy department, and to the agent appointed to pay the prize money, complete lists of the officers and men entitled to a share of the capture, inserting therein the quality of every person rating, on pain of forfeiting his whole share of the prize money resulting from such capture, and suffering such further punishment as a court martial shall adjudge.

8. No person in the navy shall take out of a prize, or vessel seized as prize, any money, plate, goods, or any part of her rigging, unless it be for the better preservation thereof, or absolutely necessary for the use of any of the vessels of the United States, before the same shall be adjudged lawful prize by a competent court; but the whole, without fraud, concealment, or embezzlement, shall be brought in, and judgment passed thereon, upon pain that every person offending herein shall forfeit his share of the capture, and suffer such further punishment as a court martial, or the court of admiralty in which the prize is adjudged, shall impose.

9. No person in the navy shall strip off their clothes, or pillage, or in any manner maltreat, persons taken on board a prize, on pain of such punishment as a court martial shall adjudge.

10. No person in the navy shall give, hold, or entertain, any intercourse or intelligence to or with any enemy or rebel, without leave from the president of the United States, the secretary of the navy, the commander in chief of the fleet, or the commander of a squadron; or in case of a vessel acting singly, from his commanding officer, on pain of death, or such other punishment as a court martial shall adjudge.

11. If any letter or message, from an enemy or rebel, be conveyed to any officer or private of the navy, and he shall not, within twelve hours, make the same known, having opportunity so to do, to his superior or commanding officer; or if any officer commanding a ship or vessel, being acquainted therewith, shall not, with all convenient speed, reveal the same to the commander in chief of the fleet, commander of a squadron, or other proper officer whose duty it may be to take cognizance thereof, every such offender shall suffer death, or such other punishment as a court martial shall adjudge.

12. Spies, and all persons who shall come or be found in the capacity of spies, or who shall bring or deliver any seducing letter or message from an enemy or rebel, or endeavour to corrupt any person in the navy to betray his trust, shall suffer death, or such other punishment as a court martial shall adjudge.

13. If any person in the navy shall make, or attempt to make, any mutinous assembly, he shall, on conviction thereof by a court martial, suffer death; and if any person as aforesaid shall utter any seditious or mutinous words, or shall conceal or connive at any mutinous or seditious practices, or shall treat with contempt his superior, being in the execution of his office; or, being witness to any mutiny or sedition, shall not do his utmost to suppress it, he shall be punished at the discretion of a court martial.

14. No officer or private in the navy shall disobey the lawful orders of his superior officer, or strike him, or draw, or offer to draw, or raise any weapon against him, while in the execution of the duties of his office, on pain of death, or such other punishment as a court martial shall inflict.

15. No person in the navy shall quarrel with any other person in the navy, nor use provoking or reproachful words, gestures, or menaces, on pain of such punishment as a court martial shall adjudge.

16. If any person in the navy shall desert to an enemy, or rebel, he shall suffer death.

17. If any person in the navy shall desert, or shall entice others to desert, he shall suffer death, or such other punishment as a court martial shall adjudge; and if any officer, or other person belonging to the navy, shall receive or entertain any deserter from any other vessel of the navy, knowing him to be such, and shall not, with all convenient speed, give notice of such deserter to the commander of the vessel to which he belongs, or to the commander in chief, or to the commander of the squadron, he shall, on conviction thereof, be cashiered, or be punished at the discretion of a court martial. All offences committed by persons belonging to the navy, while on shore, shall be punished in the same manner as if they had been committed at sea.

18. If any person in the navy shall knowingly make or sign, or shall aid, abet, direct, or procure the making or signing, of any false muster, or shall execute, or attempt, or countenance, any fraud against the United States, he shall, on conviction, be cashiered and rendered for ever incapable of any future employment in the service of the United States, and shall forfeit all the pay and subsistence due him, and suffer such other punishment as a court martial shall inflict.

19. If any officer or other person in the navy shall, through inattention, negligence, or any other fault, suffer any vessel of the navy to be stranded, or run upon rocks or shoals, or hazarded, he shall suffer such punishment as a court martial shall adjudge.

20. If any person in the navy shall sleep upon his watch, or negligently perform the duty assigned him, or leave his station before regularly relieved, he shall suffer death, or such punishment as a court martial shall adjudge; or, if the offender be a private, he may, at the discretion of the captain, be put in irons, or flogged, not exceeding twelve lashes.

21. The crime of murder, when committed by any officer, seaman, or marine, belonging to any public ship or vessel of the United States, without the territorial jurisdiction of the same, may be punished with death, by the sentence of a court martial.

22. The officers and privates of every ship or vessel, appointed as convoy to merchant or other vessels, shall diligently and faithfully discharge the duties of their appointment, nor shall they demand or exact any compensation for their services, nor maltreat any of the officers or crews of such merchant or other vessels, on pain of making such reparation as a court of admiralty may award, and of suffering such further punishment as a court martial shall adjudge.

23. If any commander, or other officer, shall receive, or permit to be received, on board his vessel any goods or merchandise, other than for the sole use of his vessel, except gold, silver, or jewels, and except the goods or merchandise of vessels which may be in distress, or shipwrecked, or in imminent danger of being shipwrecked, in order to preserve them for their owner, without orders from the president of the United States or the navy department, he shall, on conviction thereof, be cashiered, and be incapacitated, for ever afterwards, for any place or office in the navy.

24. If any person in the navy shall waste, embezzle, or fraudulently buy, sell, or receive, any ammunition, provisions, or other public stores; or if any officer or other person shall, knowingly, permit, through design, negligence, or inattention, any such waste, embezzlement, sale, or receipt, every such person shall forfeit all the pay and subsistence then due him, and suffer such further punishment as a court martial shall direct.

25. If any person in the navy shall unlawfully set fire to, or burn, any kind of public property, not then in the possession of an enemy, pirate, or rebel, he shall suffer death: And if any person shall, in any other manner, destroy such property, or shall not use his best exertions to prevent the destruction thereof by others, he shall be punished at the discretion of a court martial.

26. Any theft, not exceeding twenty dollars, may be punished at the discretion of the captain, and above that sum, as a court martial shall direct.

27. If any person in the navy shall, when on shore, plunder, abuse, or maltreat, any inhabitant, or injure his property in any way, he shall suffer such punishment as a court martial shall adjudge.

28. Every person in the navy shall use his utmost exertions to detect, apprehend, and bring to punishment, all offenders, and shall, at all times, aid and assist all persons appointed for this purpose, on pain of such punishment as a court martial shall adjudge.

29. Each commanding officer shall, whenever a seaman enters on board, cause an accurate entry to be made in the ship's books of his name, time, and term of his service; and, before sailing, transmit to the secretary of the navy a complete list or muster roll of the officers and men under his command, with the date of their entering, time and terms of their service, annexed; and shall cause similar lists to be made out on the first day of every second month, to be transmitted to the secretary of the navy, as opportunities shall occur; accounting, in such lists or muster rolls, for any casualties which may have taken place since the last list or muster roll. He shall cause to be accurately minuted on the ship's books the names of, and times at which, any death or desertion may occur; and in case of death, shall take care that the purser secure all the property of the deceased for the benefit of his legal representative or representatives. He shall cause frequent inspections to be made into the condition of the provisions, and use every precaution for its preservation. He shall, whenever he orders officers and men to take charge of a prize, and proceed to the United States, and whenever officers or men are sent from his ship, for whatever cause, take care that each man be furnished with a complete statement of his account, specifying the date of his enlistment, and the period and terms of his service; which account shall be signed by the commanding officer and purser. He shall cause the rules for the government of the navy to be hung up in some public part of the ship; and read once a month to his ship's company. He shall cause a convenient place to be set apart for sick or disabled men, to which he shall have them removed, with their hammocks and bedding, when the surgeon shall so advise, and shall direct that some of the crew attend them and keep the place clean; and if necessary, shall direct that cradles, and buckets with covers, be made for their use. And when his crew is finally paid off, he shall attend in person, or appoint a proper officer, to see that justice be done to the men, and to the United States, in the settlement of the accounts. Any commanding officer offending herein, shall be punished at the discretion of a court martial.

30. No commanding officer shall, of his own authority, discharge a commissioned or warrant officer, nor strike, nor punish him, otherwise than by suspension or confinement; nor shall he of his own authority, inflict a punishment on any private beyond twelve lashes with a cat of nine tails, nor shall he suffer any wired, or other than a plain, cat of nine tails, to be used on board his ship; nor shall any officer who may command by accident, or in the absence of the commanding officer, (except such commander be absent for a time by leave,) order or inflict any other punishment than confinement, for which he shall account on the return of such absent commanding officer. Nor shall any commanding officer receive on board any petty officers or men turned over from any other vessel to him, unless each of such officers and men produce to him an account signed by the captain and purser of the vessel from which they came, specifying the date of such officer's or man's entry, the period and terms of service, the sums paid, and the balance due him, and the quality in which he was rated on board such ship. Nor shall any commanding officer, having received any petty officer or man as aforesaid, rate him in a lower or worse station than that in which he formerly served. Any commanding officer offending herein, shall be punished at the discretion of a court martial.

31. Any master at arms, or other person of whom the duty of master at arms is required, who shall refuse to receive such prisoners as shall be committed to his charge, or, having received them, shall suffer them to escape, or dismiss them without orders from proper authority, shall suffer in such prisoners' stead, or be punished otherwise at the discretion of a court martial.

32. All crimes committed by persons belonging to the navy, which are not specified in the foregoing articles, shall be punished according to the laws and customs in such cases at sea.

33. All officers, not holding commissions or warrants, or who are not entitled to them, except such as are temporarily appointed to the duties of a commissioned or warrant officer, are deemed petty officers.

34. Any person entitled to wages or prize money, may have the same paid to his assignee, provided the assignment be attested by the captain and purser: and in case of the assignment of wages, the power shall specify the precise time they commence. But the commander of every vessel is required to discourage his crew from selling any part of their wages or prize money, and never to attest any power of attorney until he is satisfied that the same is not granted in consideration of money given for the purchase of wages or prize money.

35. General courts martial may be convened as often as the president of the United States, the secretary of the navy, or the commander in chief of the fleet, or commander of a squadron, while acting out of the United States, shall deem it necessary: But no general court martial shall consist of more than thirteen, nor less than five, members; and as many officers shall be summoned on every such court as can be convened without

injury to the service, so as not to exceed thirteen, and the senior officer shall always preside, the others ranking agreeably to the date of their commissions; and in no case, where it can be avoided without injury to the service, shall more than one half the members, exclusive of the president, be junior to the officer to be tried.

36. Each member of the court, before proceeding to trial, shall take the following oath or affirmation, which the judge advocate, or person officiating as such, is hereby authorized to administer.

"I, A B, do swear or affirm that I will truly try, without prejudice or partiality, the case now depending according to the evidence which shall come before the court, the rules for the government of the navy, and my own conscience, and that I will not by any means divulge or disclose the sentence of the court, until it shall have been approved by the proper authority, nor will I, at any time, divulge or disclose the vote or opinion of any particular member of the court, unless required so to do before a court of justice in due course of law."

This oath or affirmation being duly administered, the president is authorized and required to administer the following oath or affirmation to the judge advocate, or person officiating as such.

"I, A B, do swear (or affirm) that I will keep a true record of the evidence given to, and the proceedings of, this court; nor will I divulge, or by any means disclose, the sentence of the court until it shall have been approved by the proper authority; nor will I, at any time, divulge or disclose the vote or opinion of any particular member of the court, unless required so to do before a court of justice in due course of law."

37. All testimony given to a general court martial shall be on oath or affirmation, which the president of the court is hereby authorized to administer; and if any person shall refuse to give his evidence as aforesaid, or shall prevaricate, or shall behave with contempt to the court, it shall and may be lawful for the court to imprison such offender, at their discretion: But the imprisonment in no case shall exceed two months: And every person who shall commit wilful perjury, on examination on oath or affirmation before such court, or who shall corruptly procure, or suborn, any person to commit such wilful perjury, shall and may be prosecuted by indictment or information in any court of justice of the United States, and shall suffer such penalties as are authorized by the laws of the United States in cases of perjury, or the subornation thereof. And in every prosecution for perjury, or the subornation thereof, under this act, it shall be sufficient to set forth the offence charged on the defendant, without setting forth the authority by which the court was held, or the particular matters brought, or intended to be brought, before the said court.

28. All charges, on which an application for a general court martial is founded, shall be exhibited in writing, to the proper officer, and the person demanding the court shall take care that the person accused be furnished with a true copy of the charges, with the specifications, at the time he is put under arrest, nor shall any other charge or charges, than those so exhibited, be urged against the person to be tried before the court, unless it appear to the court that intelligence of such charge had not reached the person demanding the court, when the person so to be tried was put under arrest, or that some witness material to the support of such charge, who was at that time absent, can be produced; in which case, reasonable time shall be given to the person to be tried to make his defence against such new charge. Every officer so arrested is to deliver up his sword to his commanding officer, and to confine himself to the limits assigned him, under pain of dismissal from service.

39. When the proceedings of any general court martial shall have commenced, they shall not be suspended or delayed on account of the absence of any of the members, provided five or more be assembled; but the court is enjoined to sit from day to day, Sundays excepted, until sentence be given: And no member of said court shall, after the proceedings are begun, absent himself therefrom, unless in case of sickness, or orders to go on duty from a superior officer, on pain of being cashiered.

40. Whenever a court martial shall sentence any officer to be suspended, the court shall have power to suspend his pay and emoluments for the whole, or any part, of the time of his suspension.

41. All sentences of courts martial, which shall extend to the loss of life, shall require the concurrence of two-thirds of the members present; and no such sentence shall be carried into execution, until confirmed by the president of the United States; or if the trial take place out of the United States, until it be confirmed by the commander of the fleet or squadron: All other sentences may be determined by a majority of votes, and carried into execution on confirmation of the commander of the fleet, or officer ordering the court, except such as go to the dismissal of a commissioned or warrant officer, which are first to be approved by the president of the United States.

A court martial shall not, for any one offence not capital, inflict a punishment beyond one hundred lashes.

42. The president of the United States, or, when the trial takes place out of the United States, the commander of the fleet or squadron, shall possess full power to pardon any

effluence committed against these articles, after conviction, or to mitigate the punishment decreed by a court martial.

45. Courts of inquiry may be ordered by the president of the United States, the secretary of the navy, or the commander of a fleet or squadron: But such courts shall not consist of more than three members who shall be commissioned officers, and a judge advocate, or person to do duty as such; and such courts shall have power to summon witnesses, administer oaths, and punish contempt, in the same manner as courts martial.— But such court shall merely state facts, and not give their opinion, unless expressly required so to do in the order for convening; and the party, whose conduct shall be the subject of inquiry, shall have permission to cross examine all the witnesses.

The proceedings of courts of inquiry shall be authenticated by the signature of the president of the court and judge advocate, and shall, in all cases not capital, or extending to the dismissal of a commissioned or warrant officer, be evidence before a court martial, provided oral testimony cannot be obtained.

The judge advocate, or person officiating as such, shall administer to the members the following oath or affirmation.

"You do swear, (or affirm,) well and truly to examine and inquire, according to the evidence, into the matter now before you, without partiality or prejudice."

After which, the president shall administer to the judge advocate, or person officiating as such, the following oath or affirmation.

"You do swear, (or affirm,) truly to record the proceedings of this court, and the evidence to be given in the case in hearing."

46. In all cases where the crews of the ships or vessels of the United States shall be separated from their vessels, by the latter being wrecked, lost, or destroyed, all the command, power, and authority, given to the officers of such ships or vessels, shall remain, and be in full force, as effectually as if such ship or vessel were not so wrecked, lost, or destroyed, until such ship's company be regularly discharged from, or ordered again into, the service, or until a court martial shall be held to inquire into the loss of such ship or vessel; and if, by the sentence of such court, or other satisfactory evidence, it shall appear that all, or any, of the officers and men of such ship's company did their utmost to preserve her, and, after the loss thereof behaved themselves agreeably to the discipline of the navy, then the pay and emoluments of such officers and men, or such of them as shall have done their duty as aforesaid, shall go on until their discharge or death; and every officer or private who shall, after the loss of such vessel, act contrary to the discipline of the navy, shall be punished, at the discretion of a court martial, in the same manner as if such vessel had not been so lost.

47. All the pay and emoluments of such officers and men, of any of the ships or vessels of the United States taken by an enemy, who shall appear by the sentence of a court martial, or otherwise, to have done their utmost to preserve and defend their ship or vessel, and after the taking thereof, have behaved themselves obediently to their superiors, agreeably to the discipline of the navy, shall go on and be paid them until their death, exchange, or discharge.

48. The proceeds of all ships and vessels, and the goods taken on board of them, which shall be adjudged good prize, shall, when of equal or superior force to the vessel or vessels making the capture, be the sole property of the captors; and when of inferior force, shall be divided, equally, between the United States and the officers and men making the capture.

49. Prize money, belonging to the officers and men, shall be distributed in the following manner.

1. To the commanding officers of fleets, squadrons, or single ships, three-twentieths, of which the commanding officer of the fleet or squadron shall have one-twentieth, if the prize be taken by a ship or vessel acting under his command, and the commander of single ships two-twentieths; but where the prize is taken by a ship acting independently of such superior officer, the three-twentieths shall belong to her commander.

2. To sea lieutenants, captains of marines, and sailing masters, two-twentieths; but where there is a captain, without a lieutenant of marines, these officers shall be entitled to two-twentieths and one third of a twentieth, which third, in such case, shall be deducted from the share of the officers mentioned in article No. 3 of this section.

3. To Chaplains, lieutenants of marines, surgeons, pursers, boatswains, gunners, carpenters, and master's mates, two-twentieths.

4. To midshipmen, surgeon's mates, captain's clerks, schoolmasters, boatswain's mates, gunner's mates, carpenter's mates, ship's stewards, sailmakers, masters at arms, armorers, cockswains, and coopers, three-twentieths and an half.

5. To Gunner's yeomen, boatswain's yeomen, quartermasters, quartergunners, sailmaker's mates, sergeants and corporals of marines, drummers, fifers, and extra petty officers, two-twentieths and an half.

6. To seamen, ordinary seamen, marines, and all other persons doing duty on board, seven-twentieths.

7. Whenever one or more public ships or vessels are in sight at the time any one or more ships are taking a prize or prizes, they shall all share equally in the prize or prizes, according to the number of men and guns on board each ship in sight.

No commander of a fleet or squadron shall be entitled to receive any share of prizes taken by vessels not under his immediate command; nor of such prizes as may have been taken by ships or vessels intended to be placed under his command, before they have acted under his immediate orders; nor shall a commander of a fleet or squadron, leaving the station where he had the command, have any share in the prizes taken by ships left on such station, after he has gone out of the limits of his said command.

50. A bounty shall be paid by the United States, of twenty dollars, for each person on board any ship of an enemy at the commencement of an engagement, which shall be sunk or destroyed by any ship or vessel belonging to the United States of equal or inferior force, the same to be divided among the officers and crew in the same manner as prize money.

*The navy ration shall consist of as follows: On Sunday, fourteen ounces of bread, one and a quarter pound of beef, half a pound of flour, one quarter of a pound of suet, one half pint of distilled spirits; Monday, fourteen ounces of bread, one pound of pork, half pint of peas, one half pint of distilled spirits; Tuesday, fourteen ounces of bread, one pound of beef, two ounces of cheese, one half pint of distilled spirits; Wednesday, fourteen ounces of bread, one pound of pork, half pint of rice, one half pint of distilled spirits; Thursday, fourteen ounces of bread, one and a quarter pound of beef, half pound of flour, quarter pound of suet, one half pint of distilled spirits; Friday, fourteen ounces of bread, four ounces of cheese, two ounces of butter, half pint of rice, half pint of molasses, one half pint of distilled spirits; Saturday, fourteen ounces of bread, one pound of pork, half pint of peas, half pint vinegar, one half pint of distilled spirits.

† All the vessels in the service of the United States, mounting twenty guns and upwards, shall be commanded by captains; those not exceeding eighteen guns (except galleys, which are to be commanded as heretofore provided by law) by masters or lieutenants, according to the size of the vessel, to be regulated by the president of the United States.

The pay of captains commanding ships of thirty-two guns and upwards, shall be one hundred dollars per month, and eight rations per day; of captains commanding ships of twenty and under thirty-two guns, seventy-five dollars per month, and six rations per day; of a master commandant, sixty dollars per month, and five rations per day; and of lieutenants, who may command the smaller vessels, fifty dollars per month, and four rations per day.

‡ The pay and subsistence of the respective commissioned and warrant officers shall be as follows: a lieutenant, other than a master commandant, or lieutenant commanding small vessel, forty dollars per month and three rations per day; a chaplain, forty dollars per month and two rations per day; a schoolmaster, twenty-five dollars per month and two rations; a sailing master, forty dollars per month and two rations per day, a surgeon, fifty dollars per month and two rations per day; a surgeon's mate, thirty dollars per month and two rations per day; a purser, forty dollars per month and two rations per day; a boatswain, twenty dollars per month and two rations per day; a gunner twenty dollars per month, and two rations per day; a sailmaker, twenty dollars per month, and two rations per day; and the pay to be allowed to the petty officers and shipmen, and the pay and bounty upon enlistment of the seamen, ordinary seamen, and marines, shall be fixed by the president of the United States: But the whole sum to be given for the whole pay aforesaid, and for the pay of officers, and the amount of bounties upon enlistment of seamen and marines, shall not exceed, for any year, the amount which may, in such year, be appropriated for those purposes, respectively.

§ The pursers in the navy of the United States shall be appointed by the president of the United States, by and with the advice and consent of the senate; no person shall act in the character of purser, who shall not have thus been first nominated and appointed. And every purser, before entering upon the duties of his office, shall give bond with two or more sufficient sureties, in the penalty of twenty-five thousand dollars, conditioned faithfully to perform all the duties of purser in the navy of the United States.

|| Whenever any officer shall be employed in the command of a squadron, on separate service, the allowance of rations to such commanding officer shall be doubled during the continuance of such command, and no longer, except in the case of the commanding officer of the navy, whose allowance, while in the service, shall always be at the rate of sixteen rations per day.

The president of the United States is hereby authorized to place on the naval establishment, and employ accordingly, all or any of the vessels, which, as revenue cutters, have been increased in force, and employed in the defence of the seacoast, pursuant to the act, entitled "An act providing a naval armament;" and thereupon the officers

* Act of 3d March, 1801. † Act of 25th February, 1799. ‡ Act of 18th April, 1814.

§ Act of 30th March, 1812.

|| Act of 25th February, 1799.

and crews of such vessels may be allowed, at the discretion of the president of the United States, the pay, subsistence, advantages, and compensations, proportionably to the rates of such vessels, and shall be governed by the rules and discipline which are, or which shall be established for the navy of the United States.

By an act passed March 3, 1819, Ships of the 1st class, are to be called after the States of the Union; those of the second class, after the rivers; and those of 3d class, after the principal cities and towns, taking care not to call two vessels after the same name.

The flag of the United States consists of *thirteen* horizontal stripes, alternate red and white, and the Union is twenty-four white stars, in a blue field. On the admission of every new state into the Union, a star is to be added to the union of the flag on the next 4th of July, to such admission.

CHAPTER XIV.

PENSIONS.

THE People of the United States have not been unmindful of their duty to those seamen who have been wounded or disabled in the public service. In pursuance of that liberal policy which characterizes a wise government, and which in the end will amply reward those who pursue it, they have by various acts, made suitable provision for wounded and disabled seamen. To constitute a fund for payment of pensions, it has been enacted, that

* All the money accruing to the United States, from the capture of prizes authorized by law, shall be paid to the treasurer of the United States.

It shall be the duty of the treasurer of the United States to receive all the money so accruing, and to disburse the same, pursuant to warrants from the secretary of the navy, countersigned by the accountant of the navy; and a distinct quarterly account of the moneys thus received and disbursed, shall be rendered by the said treasurer to the accounting officers of the treasury, in the same manner as is provided for other public moneys received by him.

The commissioners of the navy pension fund are, the Secretaries of the Navy, War, and Treasury Departments.

The commissioners of the navy pension fund are authorized and directed to make such regulations, as may to them appear expedient, for the admission of persons on the roll of navy pensioners, and for the payment of the pensions.

† Every pension, or arrearage of pension, that shall be due on the third day of March, one thousand eight hundred and nine, or that may thereafter become due, to any officer or soldier residing in either of the United States, or the territories thereof, in which there hath not been appointed an agent for the payment of pensions, shall be paid at the seat of the government of the United States, by the secretary for the war department, and the name of the pensioner shall, on his application to the secretary of war, be transferred from the books of the state in which it was originally enregistered, to a register to be opened for that purpose at the war office of the United States.

If any officer, non-commissioned officer, marine, or seaman, belonging to the navy of the United States, shall be wounded or disabled while in the line of his duty, he shall be placed on the list of invalids at such rate of pay, and under such regulations as the President shall think proper. The pension shall not exceed for the highest disability, half the monthly pay of such officer, and a non-commissioned officer, marine, or seaman shall never receive more than five dollars per month. Inferior disabilities shall entitle, the person so disabled to receive a proportionate pension. By a subsequent law, officers, seamen, or marines, are entitled to receive for life, or during the disability, a pension from the United States according to the nature of his disability, not however exceeding half the monthly pay of the pensioner. The commissioners of the Navy Pension Fund, by a law subsequent to the last, if they shall deem that allowance insufficient on account of the peculiar disability or situation of the pensioner, are authorized to increase it to the full amount of his monthly pay.

* Act of 26th March,

† Act of 7th January, 1809.

The money accruing from the sale of prizes is appropriated as a fund for the payment of pensions and half pay, and if insufficient, the public faith is pledged to make up the deficiency; and if more than sufficient, the surplus is to be applied to make further provision for the comfort of disabled seamen, and of those who may merit by long and faithful services the gratitude of their country.

Applications for payment of pensions must be accompanied by the affidavits of two surgeons, (whose credibility must be certified by the magistrate) stating the continuance of the disability, and its rate at the time—unless the disability be for a total disability, in consequence of a cause which cannot be removed, in which case an affidavit is unnecessary.

* If any officer of the navy or marines shall be killed or die, by reason of a wound received in the line of his duty, leaving a widow, or, if no widow, a child or children, under sixteen years of age, such widow, or if no widow, such child or children shall be entitled to receive half the monthly pay to which the deceased was entitled at the time of his death, which allowance shall continue for and during the term of five years: but in case of the death or intermarriage of such widow, before the expiration of the said term of five years, the half pay for the remainder shall go to the child or children of the said deceased officer: But such half pay shall cease on the death of such child or children; and the money required for this purpose shall be paid out of the navy pension fund, under the directions of the commissioners of that fund.

† The secretary of the navy is hereby authorized and required to place on the pension list, under the like regulations and restrictions as are used in relation to the navy of the United States, any officer, seaman, or marine, who, on board of any private armed ship or vessel bearing a commission of letter of marque, shall have been wounded, or otherwise disabled, in any engagement with the enemy; allowing to the captain, a sum not exceeding twenty dollars per month; to lieutenants and sailing master, a sum not exceeding twelve dollars, each, per month; to marine officer, boatswain, gunner, carpenter, master's mate, and prize masters, a sum not exceeding ten dollars, each, per month; to all other officers, a sum not exceeding eight dollars, each, per month, for the highest rate of disability, and so in proportion; and to a seaman, or acting as a marine, the sum of six dollars per month, for the highest rate of disability, and so in proportion; which several pensions shall be paid, by direction of the secretary of the navy, out of the fund above provided, and from no other.

The commanding officer of every vessel having a commission, or letters of marque and reprisal, shall enter in his journal the name and rank of any officer, and the name of any seaman, who, during his cruise, shall have been wounded or disabled as aforesaid, describing the manner and extent, as far as practicable, of such wound or disability.

Every collector shall transmit, quarterly, to the secretary of the navy, a transcript of such journals as may have been reported to him, so far as it gives a list of the officers and crew, and the description of wounds and disabilities, the better to enable the secretary to decide on claims for pensions.

‡ The act regulating pensions to persons on board private armed ships shall be construed to authorize the secretary of the navy to place on the pension list, under the restrictions and regulations of the said act, any officer, seaman, or marine, belonging to any private armed ship or vessel of the United States, bearing a commission of letter of marque, who shall have been wounded, or otherwise disabled, in the line of their duty as officers, seamen, or marines, of such private armed ship or vessel.

§ If any officer, seaman, or marine, serving on board of any private armed ship or vessel, bearing a commission of letter of marque, shall die, or shall have died since the eighteenth day of June, in the year of our Lord one thousand eight hundred and twelve, by reason of a wound received, accident or casualty happening, or disease contracted, in the line of his duty, leaving a widow, or, if no widow, a child or children under sixteen years of age, such widow, or, if no widow, such child or children, shall be placed on the pension list by the secretary of the navy, who shall allow to such widow, child or children, half the monthly pension to which the rank of the deceased would have entitled him, for the highest rate of disability, under "An act regulating pensions to persons on board private armed ships;" which allowance shall continue for the term of ten years; but in case of death or intermarriage of such widow before the expiration of the term of ten years, the half pay, for the remainder of the term, shall go to the child or children of the deceased: But the half pay shall cease on the death of such child or children. And the several pensions hereby directed shall be paid, by direction of the secretary of the navy, out of the fund provided by the seventeenth section of an act, entitled

"An act concerning letters of marque, prizes and prize goods," and from no other.

* An act of 20th January, 1813.

† Act of 2d August, 1813.

‡ Act of 13th February, 1813.

§ Act of 4th March, 1804.

If any seaman or marine belonging to the navy of the United States shall die, or if any officer, seaman, or marine, belonging to the navy of the United States, shall have died, since the eighteenth day of June, in the year of our Lord one thousand eight hundred and twelve, by reason of a wound, accident or casualty happening, or disease contracted, in the line of his duty, leaving a widow, or, if no widow, a child or children, under sixteen years of age, such widow, or, if no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased was entitled at the time of his death, which allowance shall continue for the term of ten years; but in case of the death or intermarriage of such widow, before the expiration of the said term of ten years, the half pay, for the remainder of the term, shall go to the child or children of the deceased: But such half pay shall cease on the death of such child or children. And the money required for this purpose shall be paid out of the navy pension fund, under the direction of the commissioners of that fund.

22. The officers and seamen of the revenue cutters of the United States, who have been, or may be, wounded or disabled in the discharge of their duty, whilst co-operating with the navy by order of the president of the United States, shall be entitled to be placed on the navy pension list, at the same rate of pension, and under the same regulations and restrictions, as are now provided by law for the officers and seamen of the navy.

CHAPTER XV.

CRIMES.

The courts of the United States have jurisdiction over offences committed on the ocean by any citizen of the United States; various statutes have been passed, declaring the crimes and the punishments of the offenders. By an act passed 30th April, 1790, it is declared, that

If any person or persons, owing allegiance to the United States of America, shall levy war against them, or shall adhere to their enemies, giving them aid and comfort, within the United States or elsewhere, and shall be thereof convicted, on confession in open court, or on the testimony of two witnesses to the same overt act of the treason whereof he or they shall stand indicted, such person or persons shall be adjudged guilty of treason against the United States, and shall suffer death.

If any person or persons, having knowledge of the commission of any of the treasons aforesaid, shall conceal, and not, as soon as may be, disclose and make known the same to the president of the United States, or some one of the judges thereof, or to the president or governor of a particular state, or some one of the judges or justices thereof, such person or persons, on conviction, shall be adjudged guilty of misprison of treason, and shall be imprisoned, not exceeding seven years, and fined not exceeding one thousand dollars.†

If any person or persons shall, within any fort, arsenal, dockyard, magazine, or in any other place or district of country, under the sole and exclusive jurisdiction of the United States, commit the crime of wilful murder, such person or persons, on being thereof convicted, shall suffer death.

If any person or persons, having knowledge of the actual commission of the crime of wilful murder, or other felony, upon the high seas, or within any fort, arsenal, dockyard, magazine, or other place or district of country, under the sole and exclusive jurisdiction of the United States, shall conceal, and not, as soon as may be, disclose and make known the same to some one of the judges, or other persons in civil or military authority under the United States, on conviction thereof, such person or persons shall be adjudged guilty of misprison of felony, and shall be imprisoned not exceeding three years, and fined not exceeding five hundred dollars.

If any person or persons shall, within any fort, arsenal, dockyard, magazine, or other place or district of country, under the sole and exclusive jurisdiction of the United States, commit the crime of manslaughter, and shall be thereof convicted, such person or persons shall be imprisoned not exceeding three years, and fined not exceeding one thousand dollars.

† Act of 30th April, 1790.

If any person or persons shall commit, upon the high seas, or in any river, haven, basin, or bay, out of the jurisdiction of any particular state, murder or robbery, or any other offence, which, if committed within the body of a country, would, by the laws of the United States, be punishable with death; or if any captain or mariner, of any ship or other vessel, shall piratically and feloniously run away with such ship or vessel, or any goods, or merchandise, to the value of fifty dollars, or yield up such ship or vessel voluntarily to any pirate: or if any seaman shall lay violent hands upon his commander, thereby to hinder and prevent his fighting in defence of his ship, or goods committed to his trust, or shall make a revolt in the ship, every such offender shall be deemed, taken, and adjudged to be, a pirate and felon, and being thereof convicted, shall suffer death: and the trial of crimes committed on the high seas, or in any place out of the jurisdiction of any particular state, shall be in the district where the offender is apprehended, or into which he may first be brought.

A vessel lying in an open roadstead in a foreign country, is "upon the high seas," within the meaning of this section.—5 *Wheat*, 200.

This section applies only to offences committed in some river, &c. not within the jurisdiction of a particular state.—4 *Cranch*, 135.

A robbery committed on the high seas, is piracy under this section; though such robbery, if committed on land, would not be punishable with death; and the courts of the United States have jurisdiction in this case.—3 *Wheat*, 310.

This act extends to all persons on board all vessels who commit piracy on other vessels.—5 *Wheat*, 144.

A commission issued by an officer of a nation, whose existence is not acknowledged by the United States, *de facto* or *de jure*, will not authorize captures at sea; but the person will not be deemed guilty of piracy, unless it appears that the capture was made with intent to steal, and not by the right of war.—*Ib.*

If any citizen shall commit any piracy or robbery aforesaid, or any act of hostility against the United States, or any citizen thereof, upon the high seas, under colour of any commission from any foreign prince, or state, or on pretence of authority from any person, such offender shall, notwithstanding the pretence of any such authority, be deemed, adjudged, and taken to be, a pirate, felon, and robber, and, on being thereof convicted, shall suffer death.

Every person who shall, either upon the land or the seas, knowingly and wittingly aid and assist, procure, command, counsel, or advise, any person or persons, to do or commit any murder or robbery, or other piracy aforesaid, upon the seas, which shall affect the life of such person, and such person or persons shall thereupon do or commit any such piracy or robbery, then all and every such person, so as aforesaid aiding, assisting, procuring, commanding, counselling, or advising, the same, either upon the land or the sea, shall be, and they are hereby declared, deemed, and adjudged, to be, accessory to such piracies before the fact, and every such person, being thereof convicted, shall suffer death.

After any murder, felony, robbery, or other piracy whatsoever, aforesaid, is or shall be committed by any pirate or robber, every person who, knowing that such pirate or robber has done or committed any such piracy or robbery, shall, on the land or at sea, receive, entertain, or conceal, any such pirate or robber, or receive or take into his custody any ship, vessel, goods, or chattels, which have been by any such pirate or robber piratically and feloniously taken, shall be, and are hereby, declared, deemed, and adjudged to be, accessory to such piracy or robbery after the fact; and, on conviction thereof, shall be imprisoned not exceeding three years, and fined not exceeding five hundred dollars.

If any seaman or other person shall commit manslaughter upon the high seas, or confederate, or attempt, or endeavour to corrupt any commander, master, officer, or mariner, to yield up or to run away with any ship or vessel, or with any goods, wares, or merchandise, or to turn pirate, or to go over to or confederate with pirates, or in any wise trade with any pirate, knowing him to be such, or shall furnish such pirate with any ammunition, stores, or provisions, of any kind, or shall fit out any vessel, knowingly, and with a design, to trade, with or supply or correspond with any pirate or robber upon the seas; or if any person or persons shall any ways consult, combine, confederate, or correspond, with any pirate or robber on the seas, knowing him to be guilty of any such piracy or robbery; or if any seaman shall confine the master of any ship or other vessel, or endeavour to make a revolt in such ship; such person or persons, so offending, and being thereof convicted, shall be imprisoned not exceeding three years, and fined not exceeding one thousand dollars.

If any person or persons, within any of the places upon the land, under the sole and exclusive jurisdiction of the United States, or upon the high seas, in any vessel belonging to the United States, or to any citizen or citizens thereof, on purpose, and of malice aforethought, shall unlawfully cut off the ear or ears, or cut out or disable the tongue, put out an eye, slit the nose, cut off the nose or a lip, or cut off or disable any limb or member of any person, with intention in so doing to maim or disfigure such person in any

the manners beforementioned, then and in every such case, the person or persons so offending, their counsellors, aiders, and abettors (knowing of, and privy to, the offence aforesaid) shall, on conviction, be imprisoned not exceeding seven years, and fined not exceeding one thousand dollars.

If any person within any of the places under the sole and exclusive jurisdiction of the United States, or upon the high seas, shall take and carry away, with an intent to steal or purloin, the personal goods of another; or if any person or persons, having, at any time hereafter, the charge or custody of any arms, ordnance, munition, shot, powder, or habiliments of war, belonging to the United States, or of any victuals provided for the victualling of any soldiers, gunners, marines, or pioneers, shall, for any lucre or gain, or wittingly, advisedly, and of purpose to hinder or impede the service of the United States, embezzle, purloin, or convey away, any of the said arms, ordnance, munition, shot, or powder, habiliments of war, or victuals, that then, and in every of the cases aforesaid, the person or persons so offending, their counsellors, aiders, and abettors, (knowing of and privy to the offences aforesaid) shall, on conviction, be fined not exceeding the four-fold value of the property so stolen, embezzled, or purloined; the one moiety to be paid to the owner of the goods, or the United States, as the case may be, and the other moiety to the informer and prosecutor, and be publicly whipped, not exceeding thirty-nine stripes.

If any person or persons, within any part of the [sole and exclusive] jurisdiction of the United States, shall receive or buy any goods or chattels that shall be feloniously taken or stolen from any other person, knowing the same to be stolen, or shall receive, harbour, or conceal, any felons or thieves, knowing them to be so, he or they, being of either of the said offences legally convicted, shall be liable to the like punishments as in the case of larceny before are prescribed.

If any person shall wilfully and corruptly commit perjury, or shall, by any means, procure any person to commit corrupt and wilful perjury, on his or her oath of affirmation, in any suit, controversy, matter, or cause depending in any of the courts of the United States, or in any deposition taken pursuant to the laws of the United States, every person so offending, and being thereof convicted, shall be imprisoned not exceeding three years, and fined not exceeding eight hundred dollars; and shall stand in the pillory for one hour, and be thereafter rendered incapable of giving testimony in any of the courts of the United States, until such time as the judgment so given against the said offender shall be reversed.

If any person or persons shall, knowingly and wilfully, obstruct, resist, or oppose, any officer of the United States, in serving or attempting to serve or execute any mesne process, or warrant, or any rule or order of any of the courts of the United States, or any other legal or judicial writ or process whatsoever, or shall assault, beat, or wound, any officer, or other person duly authorized, in serving or executing any writ, rule, order, process, or warrant, aforesaid, every person so knowingly and wilfully offending in the premises, shall, on conviction thereof, be imprisoned not exceeding twelve months, and fined not exceeding three hundred dollars.

If any person or persons shall, by force, set at liberty, or rescue, any person who shall be found guilty of treason, murder, or any other capital crime, or rescue any person convicted of any of the said crimes, going to execution, or during execution, every person so offending, and being thereof convicted, shall suffer death. And if any person shall, by force, set at liberty, or rescue any person, who, before conviction, shall stand committed for any of the capital offences aforesaid; or if any person or persons shall, by force, set at liberty, or rescue any person committed for, or convicted of, any other offence against the United States, every person so offending, shall, on conviction, be fined not exceeding five hundred dollars, and imprisoned not exceeding one year.

* Any person, not being an owner, who shall, on the high seas, wilfully and corruptly cast away, burn, or otherwise destroy, any ship or other vessel, unto which he belongeth, being the property of any citizen or citizens of the United States, or procure the same to be done, and being thereof lawfully convicted, shall suffer death.

If any person shall, on the high seas, wilfully and corruptly cast away, burn, or otherwise destroy, any ship or vessel of which he is owner, in part or in whole, or in any wise direct or procure the same to be done, with intent or design to prejudice any person or persons that hath underwritten, or shall underwrite, any policy or policies of insurance thereon, or of any merchant or merchants that shall load goods thereon, or of any other owner or owners of such ship or vessel, the person or persons offending therein, being thereof lawfully convicted, shall be deemed and adjudged guilty of felony, and shall suffer death.

Any person guilty of any crime arising under the revenue laws of the United States, or incurring any fine or forfeiture by breaches of the said laws, may be prosecuted, tried, and punished, provided the indictment or information be found at any time within five years after committing the offence or incurring the fine or forfeiture.

† If any person shall import, or bring from any foreign place into the United States,

* Act of 26th March, 1804.

† Act of 21st April, 1806.

any false, forged, or counterfeit, gold or silver coins, which are by law made current, or are in actual use and circulation as money, within the United States, with the intent to utter, or make payment with, the same, knowing the same to be falsely made, forged, or counterfeited; or who shall utter, as true, any such false, forged, or counterfeited, coins of gold or silver, as aforesaid, for the payment of money, with intention to defraud any person or persons, knowing the same to be falsely made, forged, or counterfeited, the person so offending shall be deemed guilty of felony, and being thereof convicted according to the due course of law, shall be sentenced to imprisonment, and kept at hard labour, for a period not less than two years, nor more than eight years; or shall be imprisoned not exceeding two years, and fined not exceeding four thousand dollars.

If any persons shall commit the crime of piracy, and shall be found or be brought into the United States, they shall upon conviction thereof, suffer death.

Persons committing robbery upon any ship or any of the ship's company upon the high seas, or in any open roadstead, or in any haven, basin, or bay, or river, where the sea ebbs and flows, are to be considered pirates, and to suffer accordingly.

If any person engaged in a piratical cruise or enterprise, shall land from the piratical ship, and commit robbery on shore, he shall be adjudged a pirate, and shall suffer death.

American citizens engaged in the slave trade, either in foreign vessels or in those belonging to citizens of the United States, are considered as pirates, and shall suffer death.

They are guilty of the same crime and liable to the same punishment, if they land on any foreign shore, seize or decoy any negro or mulatto not held to service by the laws of the United States, on board of any ship, with intent to make him a slave; or if they shall in any way be aiding or abetting in forcibly detaining such negro or mulatto with that intent; or if they shall on board of a slave ship, or on the high seas, or any where on tide water, offer to sell him as a slave, or shall land him with that intent.

There are other regulations by the United States, and by several of the states against this abominable traffic, which will be mentioned more at large in the next chapter.

To prevent any interference on the part of American citizens in the quarrels between other nations, it has been enacted that,*

Sect. 1. If any citizen of the United States shall, within the the territory or jurisdiction thereof, accept and exercise a commission to serve a foreign prince, or people, in war, by land or by sea, against any prince, or people, with whom the United States are at peace, the person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not more than two thousand dollars, and shall be imprisoned not exceeding three years.

2. If any person shall, within the territory or jurisdiction of the United States, enlist or enter himself, or hire or retain another person to enlist or enter himself, or to go beyond the limits or jurisdiction of the United States with intent to be enlisted or entered in the service of any foreign prince, or people, as a soldier, or as a marine or seaman, on board of any vessel of war, letter of marque, or privateer, every person, so offending, shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding one thousand dollars, and be imprisoned not exceeding three years: *Provided*, That this act shall not be construed to extend to any subject or citizen of any foreign prince, or people, who shall transiently be within the United States, and shall, on board of any vessel of war, letter of marque, or privateer, which, at the time of its arrival within the United States, was fitted and equipped as such, enlist or enter himself, or hire or retain another subject or citizen of the same foreign prince, or people, who is transiently within the United States, to enlist or enter himself to serve such foreign prince, or people, on board such vessel of war, letter of marque, or privateer, if the United States shall then be at peace with such foreign prince, or people.

3. If any person shall, within the limits of the United States, fit out and arm, or shall knowingly be concerned in the furnishing, fitting out, or arming, of any vessel, with intent that such vessel shall be employed in the service of any foreign prince, or state, to cruise or commit hostilities against the subjects, citizens, or property, of any foreign prince or state, with whom the United States are at peace, or shall issue or deliver a commission within the territory or jurisdiction of the United States, for any vessel, to the intent that she may be employed as aforesaid, every person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not more than ten thousand dollars, and imprisoned not more than three years; and every such vessel, with her tackle, apparel, and furniture, together with all materials, arms, ammunition, and stores, which may have been procured for the building and equipment thereof, shall be forfeited; one half to the use of the informer, and the other half to the use of the United States.

4. If any citizen or citizens of the United States shall, without the limits thereof, fit out and arm, or shall knowingly aid or be concerned in the fitting out, or arming, any private vessel of war, with intent that such vessel shall be employed to cruise, or com-

* Act of 20th April, 1818.

mit hostilities, upon the citizens of the United States, or their property, or shall take the command of, or enter on board of, any such vessel, for the intent aforesaid, or shall purchase any interest in any such vessel, with a view to share in the profits thereof, such person, so offending, shall be deemed guilty of a high misdemeanor, and fined not more than ten thousand dollars, and imprisoned not more than ten years.

5. If any person shall, within the territory or jurisdiction of the United States, increase or augment, or shall knowingly be concerned in increasing or augmenting, the force of any ship of war, which, at the time of her arrival within the United States, was a ship of war, in the service of any prince or state, or belonging to the citizens of any such prince or state, the same being at war with any foreign prince or state, with whom the United States are at peace, by adding to the number of the guns of such vessel, or by changing those on board of her for guns of a larger caliber, or by the addition thereto of any equipment solely applicable to war, every person, so offending, shall be deemed guilty of a high misdemeanor, shall be fined not more than one thousand dollars and be imprisoned not more than one year.

6. If any person shall, within the territory or jurisdiction of the United States, begin or set on foot, or provide or prepare the means for, any military expedition or enterprise, to be carried on from thence against the territory or dominions of any foreign prince or state, with whom the United States are at peace, every person, so offending, shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding three thousand dollars, and imprisoned not more than three years.

7. The district courts shall take cognizance of complaints, by whomsoever instituted, in cases of captures made within the waters of the United States, or within a marine league of the coasts or shores thereof.

8. In every case in which a vessel shall be fitted out and armed, or in which the force of any vessel of war, cruiser, or other armed vessel, shall be increased or augmented, or in which any military expedition or enterprise shall be begun or set on foot, contrary to the provisions and prohibitions of this act; and in every case of the capture of a ship or vessel within the jurisdiction or protection of the United States as before defined, and in every case in which any process issuing out of any court of the United States shall be disobeyed or resisted by any person or persons having the custody of any vessel of war, or any other armed vessel, of any foreign prince or state, or of any subjects or citizens of any foreign prince or state, in every such case it shall be lawful for the President of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land or naval forces of the United States, or of the militia thereof, for the purpose of taking possession of and detaining any such ship or vessel, with her prize or prizes, if any, in order to the execution of the prohibitions and penalties of this act, and to the restoring the prize or prizes in the cases in which restoration shall have been adjudged, and also for the purpose of preventing the carrying on of any such expedition or enterprise from the territories or jurisdiction of the United States against the territories or dominions of any foreign prince or state, with whom the United States are at peace.

9. It shall be lawful for the President of the United States, or such person as he shall empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia thereof, as shall be necessary to compel any foreign ship or vessel to depart the United States, in all cases in which, by the laws of nations or the treaties of the United States, they ought not to remain within the United States.

10. The owners or consignees of every armed vessel sailing out of the ports of the United States, belonging wholly or in part to citizens thereof, shall enter into bond to the United States, with sufficient sureties, prior to clearing out the same, in double the amount of the value of the vessel and cargo on board, including her armament, that the said vessel shall not be employed by such owners to cruise or commit hostilities against the subjects, citizens, or property, of any foreign prince or state, with whom the United States are at peace.

11. The collectors of the customs be, and they are hereby, respectively, authorized and required to detain any vessel manifestly built for warlike purposes, and about to depart the United States, of which the cargo shall principally consist of arms and munitions of war, when the number of men shipped on board, or other circumstances, shall render it probable that such vessel is intended to be employed by the owner or owners to cruise or commit hostilities upon the subjects, citizens, or property, of any foreign prince or state, with whom the United States are at peace, until the decision of the President be had thereon, or until the owner or owners shall give such bond and security as is required of the owners of armed ships by the preceding section of this act.

The crime of perjury, the punishment of which is declared by the act of April 30th, 1790, is committed by swearing falsely in the courts of justice of the United States. And it is also defined to be the crime of perjury to swear falsely in the custom-house, &c. or to any of the matters required by the Register Acts.

If any person shall forge, erase, alter, or falsify any document mentioned or required by the register acts, he shall forfeit \$500.

If any person shall assault, resist, obstruct, or hinder any officer in the execution of the register act, or of any act mentioned therein, he shall forfeit \$500.

If any collector or other officer shall be concerned in making or granting any false register or record, enrolment, or license, or shall grant any document contrary to the true intent of the register acts, or shall take any greater fees than are allowed by law, or shall receive any reward or gratuity for any service performed pursuant thereto, or if a surveyor or other person appointed to measure any vessel, shall wilfully deliver to the collector or naval officer a false description of any vessel to be enrolled, licensed, registered, or recorded, he or they shall forfeit, if the offence relates to a vessel to be registered or recorded, \$1000, but otherwise, \$500; and in either case, be incapacitated from serving in any office of trust or profit in the United States; and if any person shall neglect or refuse to perform the duties of his office required of them by those acts, they shall forfeit for the first offence, \$500; the like sum for the second, and be incapacitated as above.

CHAPTER XVI.

SLAVE TRADE.

As this inhuman traffic has ceased to be a legal trade, it remains only to point out the penalties and punishments to which any American, who should so far forget his duty to his country and his God, as to engage in any manner in this commerce, will subject himself; to say nothing of the prohibitory acts of the provincial and state legislatures before the adoption of the constitution. So long since as 1794, citizens were prohibited by Congress, from fitting out vessels to carry on the slave trade under the penalty of \$2000; and owners of foreign vessels suspected of an intention of going to Africa to carry on the slave trade, were required before clearance to give sufficient security that no slaves should be taken on board of said vessels within nine months thereafter. In 1800, citizens and residents were prohibited from holding any right in vessels employed in this trade, on pain of forfeiting their right and double its value, and double the value of the slaves. The vessels with their tackle and furniture were made liable to forfeiture.

By a statute passed the 28th February, 1803, masters were prohibited from bringing into any state, whose laws forbid the importation, any negro or mulatto, not a native, citizen or registered seaman, under the penalty of \$1000. This does not prohibit the importation of Indians, and the vessels will not be admitted to entry. If any negro, &c. be landed, the vessel, is forfeited, and a moiety is given to the informer.

Of late years much attention has been attracted to this subject. By a statute of April 20th, 1818,

The first section enacts that "it shall not be lawful to import or bring in any manner whatsoever into the United States or territories thereof, from any foreign kingdom, place, or country, any negro, mulatto or person of color, as a slave, or to be held to any service or labour; and any ship, vessel or other water craft, employed in any importation as aforesaid, shall be liable to seizure, prosecution, and forfeiture in any district in which it may be found; one half thereof to the United States, and the other half to the use of him or them who shall prosecute the same to effect."

The 2d section subjects to forfeiture any ship or vessel, her tackle, apparel, furniture, and lading, that is built, fitted or loaded in any port or place within the jurisdiction of the United States, or sails from such port or place, for the purpose of procuring any negro, mulatto, or person of color, from any foreign kingdom, place or country, to be transported to any port or place, to be held, sold, or otherwise disposed of as slaves, one half to the United States, the other to the prosecutor.

The 3d section provides, that any person or persons so building, fitting out, equipping, loading or otherwise preparing or sending away, and causing it to be done, with intent to employ such ship or vessel in such trade or business, or be any way concerned in aiding or abetting therein, shall severally forfeit and pay a sum not exceeding five thousand dollars, and moreover, be imprisoned for a term not more than seven nor less than three years.

Sec. 4th provides that if any citizen of the United States or other person resident within the jurisdiction of the same, shall take on board, receive or transport from the coast of Africa, or from any other foreign kingdom, place or country, or from sea, any negro not being an inhabitant, nor held to service by the laws of either of the States or United States, for the purpose aforesaid, he shall forfeit and pay a sum not exceeding five thou-

and dollars, nor less than one thousand, and moreover, shall suffer imprisonment as aforesaid. And every ship or vessel, boat, or other water craft, on board which such negro, &c. shall have been taken on board, shall forfeit her tackle and the goods and effects found on board the same, or shall have been imported therein, and every such ship or vessel shall be condemned.

Sec. 5th prohibits any person from holding any right in such negro under any importer, or those claiming under him.

Sec. 6th subjects any person who shall sell such prohibited negro, &c. to a penalty of ten thousand dollars, and 7 years imprisonment.

Sec. 7th provides, that if any person shall purchase or dispose of any negro, &c. for a slave, or to be held to service or labour, who shall have been imported or brought in any way from any foreign kingdom, place or country, or from the dominions of any foreign state immediately adjoining the United States, he shall forfeit and pay one thousand dollars. Provided that the aforesaid forfeiture shall not extend to the seller or purchaser of any negro, &c. who may be sold by virtue of any regulations which has been or shall be made by any legislature of any state.

Sec. 8th lays the burden of proof upon the defendant, so that when he has been proved to be in possession of any person of colour, he must prove that he has not violated this act.

Sec. 9 provides that the offender may be prosecuted within five years after the offence.

These provisions were substituted in place of the six first sections of the act passed March 2d, 1807. The remaining sections of the latter act, provide that .

Vessels found, after the 1st of January, 1808, in any river, port, or bay, within the jurisdictional limits of the United States, having on board any negro, &c. for the purpose of selling them as slaves, to be forfeited, together with their tackle and goods on board.

The president may employ armed vessels to cruise on any part of the coast where he may judge attempts will be made to violate this act, and instruct commanders of armed vessels to seize and bring in vessels found on the high seas contravening the provisions of this law, &c. Masters of vessels seized, are liable to prosecution and to a fine, not exceeding ten thousand dollars, and to imprisonment from two to four years. The proceeds of vessels, &c. seized, prosecuted, and condemned, are to be divided equally between the United States and the officers and men, whether of the navy or revenue cutters, and distributed as in the case of prizes, &c. The officers and men thus entitled are to safe keep every negro, mulatto, &c. and deliver them to persons appointed to receive them, &c.

Masters of vessels of less than forty tons burden, shall not take on board, after the 1st of January, 1808, nor transport any negro, &c. to any port or place whatever, for the purpose of disposing of him as a slave, on penalty of forfeiting eight hundred dollars.—A moiety of the forfeiture to the person prosecuting, &c. But nothing in this section is to prohibit the transporting, on any river or inland bay of the sea, within the jurisdiction of the United States, any negro, &c. not imported contrary to the provisions of this act, in any vessel or species of craft whatever.

Masters of vessels, of the burden of forty tons or more, after the 1st of January, 1808, sailing coastwise, &c. and having on board any negro, &c. to be transported and sold as slaves, shall make out and subscribe duplicate manifests of every negro, and deliver the manifests to the collector or surveyor. The master and owner must swear that the persons were not imported after the 1st of January, 1808, &c.—The collector or surveyor to certify, grant a permit to proceed, &c.

Vessels departing without the master's having made out and subscribed duplicate manifests of every negro, &c. on board, or taking on board any other negro, than those specified in the manifests, shall be forfeited, together with tackle, apparel, &c.

The master to forfeit one thousand dollars for every negro, &c. transported contrary to this act.—A moiety of the forfeiture to the person prosecuting.

The master, &c. of every vessel of forty tons or more, sailing coastwise after the 1st of January, 1808, and having on board any negro, &c. to sell, &c. arriving in any one port of the United States from another, must deliver the certified manifest, &c. and swear to the truth of it. If the collector is satisfied, he is to grant a permit for the landing of the negro, &c.

Masters, &c. neglecting or refusing to deliver the manifests, or landing any negro, &c. before delivering manifests, shall forfeit ten thousand dollars.—A moiety of the forfeiture to the person prosecuting, &c.

By the act of Congress, March 3d, 1819, the President is authorized to employ the armed vessels of the United States on the coasts of the United States and of Africa, &c. to enforce the acts of Congress prohibiting the importation of slaves.

Vessels unlawfully engaged in the transportation of negroes, &c. may be seized and brought into port, &c.

The proceeds of offending vessels are to be divided between the United States and the captors, whether armed vessels or revenue cutters.

Proviso: that officers and men shall safe keep the negroes, &c. and deliver them to the marshal of the district.

The officers and crews of offending vessels are to be taken into custody, and delivered to the civil authority.

The President is authorized to make regulations for safe keeping, support, and removal out of the United States of the negroes, &c. and may appoint agents on the coast of Africa to receive them, &c.

A bounty of 25 dollars for every negro, &c. delivered to the marshal, &c. is to be paid to the captors by the Secretary of the Treasury.

The District attorney is to prosecute by information, in the case of persons holding negroes, &c. unlawfully imported.

Upon the verdict of a jury, the court is to direct the marshal to take the negroes into custody, subject to the orders of the President.

Informers are entitled to a bounty of 50 dollars for every negro, &c. besides the portion of penalties accruing to him.

Vessels captured under the provisions of this act are to be sent into a port of the state or territory where they belong, if that can be ascertained.

By a subsequent statute of May 15, 1820, it has been declared piracy in American citizens to be in any way concerned in the slave trade. Neither can they hope to screen themselves hereafter under the guise of foreigners. The criminals of other countries, as well as those of our own, by a liberal and wise construction of the laws of nations are subjected to penalties, if found engaged in this unjust and odious commerce.

In the case of the *Jeune Eugene*, determined December, 1821, by one of our most learned judges, it was decided that the slave trade was contrary to the law of nations. This was a French vessel, fitted out for the reception of slaves, and sent in for condemnation, by Lieut. Stockton, commander of the U. S. schooner *Alligator*. The libellants having failed to make out their case for a condemnation as an American vessel, the French owners claimed the *Jeune Eugene* as their property, but the court rejected their claim, and decided, that as she was employed in the slave trade, she was to be forfeited to the United States, as violating the law of nations, or to be delivered to the government of France, to be dealt with as violating the laws of that country against the slave trade.

This decision aims a death blow at this traffic in all its branches. According to this construction of the laws of nations, armed vessels of every nation may capture and send in all slave ships, without regard to their flag. They are liable with all their tackle and furniture to forfeiture as piratical ships. It is to be hoped that this principle may be carried still further, so as to subject foreigners by the general law of nations, to the same punishment as is prescribed by statute for American citizens engaged in this trade. In the eyes of reason and justice, it is on the same footing with piracy. It makes those employed in it familiar with all species of cruelty and immorality. It destroys the happiness and lives of the unfortunate subjects of the trade. It keeps millions in a state of fear and insecurity, to gratify the avidity of a few. It entails upon those countries which make a temporary profit from slavery and the slave trade, lasting evils and internal weakness. If universal, it would make men perfect fiends, and this world worse than their infernal habitation. In all these circumstances it resembles piracy; and we cannot discover any good reason why it should not be as universally proscribed, and followed by the same punishment.

The time has been when piracy was as common and as lawful as the slave trade was thirty years since. The time may come, we hope and believe it now is, when they shall be equally unlawful, and punished by death by the law of nations. The treaties and municipal laws of almost all the governments of Europe, the agreements at Vienna, Aix-la-Chapelle, and at London, and the severe laws of the United States and other countries on this traffic, may be cited as evidence of the universal consent and law of nations on this subject; and we think it only waits for a precedent and example to have it established as national law, that commerce in slaves is punishable as piracy.

Regulations have also been made in the several states to prevent and punish the kidnapping of negroes or mulattoes.

By a statute of the Legislature of the state of New-York, any person sending or attempting to send to sea, or to carry out of the state, any slave or servant, or aiding or abetting therein, (before proving to the satisfaction of the Mayor, Recorder, or Judge of the Common Pleas, that such slave was his property during the ten years preceding, and obtaining a license for that purpose,) shall be punished by fine of not less than \$1000, nor more than \$2000, or imprisoned at hard labour in the States' prison from two to four years, or both, at the discretion of the court. Masters of vessels taking said slaves or servants to sea, without the license having been first proved, shall forfeit \$500. And if any person shall kidnap a negro, mulatto, or person of colour, with intent to carry him out of the state, or be aiding or abetting therein, or if a master of a vessel shall sell or dispose of any such person, in any foreign place, he shall be fined as above, or imprisoned for not more than 14 years.

All slaves imported into the state become free; but if a slave secrete himself on board of a vessel while lying in the harbours of other states, the master, or his agent, may take him before the police magistrates in the city of New-York, and upon proof being made, that such person of colour did secrete himself on board of said vessel, without the know-

ledge or consent of the master, they shall give him a warrant, to send or carry the slave back to the said port. This is to prevent the masters from becoming subject, when innocent, to the penalties of the laws of other states, prohibiting the exportation or kidnapping of persons of colour.

Laws for the same purpose have been made in the other states with similar penalties: as kidnapping or the carrying away of negroes is punished in all the states with more or less severity.

These have been mentioned, that masters may see to what they may expose themselves by any attempt upon the liberty of their fellow-creatures.

CHAPTER XVII.

FISHERIES.

The following laws have been passed by Congress for the encouragement and regulation of American fishing vessels.

*1. The master or skipper of any vessel of the burthen of twenty tons or upwards, qualified according to law for carrying on the bank and other cod fisheries, bound from a port of the United States to be employed in any such fishery, at sea, shall, before proceeding on such fishing voyage, make an agreement in writing or print with every fisherman who may be employed therein, (except only an apprentice or servant of himself or owner,) and, in addition to such terms of shipment as may be agreed on, shall, in such agreement, express whether the same is to continue for one voyage or for the fishing season, and shall also express that the fish or the proceeds of such fishing voyage or voyages, which may appertain to the fishermen, shall be divided among them in proportion to the quantities or number of said fish which they may respectively have caught; which agreement shall be endorsed or countersigned by the owner of such fishing vessel or his agent. And if any fisherman, having engaged himself for a voyage, or for the fishing season, in any fishing vessel, and signed an agreement therefor, as aforesaid, shall thereafter, and while such agreement remains in force and to be performed, desert or absent himself from such vessel, without leave of the master or skipper thereof, or of the owner or his agent, such deserter shall be liable to the same penalties as deserting seamen or mariners are subject to in the merchant service, and may, in like manner, and upon the like complaint and proof, be apprehended and detained; and all costs of process and commitment, if paid by the master or owner, shall be deducted out of the share of fish, or proceeds of any fishing voyage, to which such deserter had or shall become entitled. And any fisherman, having engaged himself as aforesaid, who shall, during such fishing voyage, refuse or neglect his proper duty on board the fishing vessel, being thereto ordered or required by the master or skipper thereof, or shall otherwise resist his just commands, to the hindrance or detriment of such voyage, besides being answerable for all damages arising thereby, shall forfeit, to the use of the owner of such vessel, his share of any public allowance which may be paid upon such voyage.

2. Where an agreement or contract shall be so made and signed, for a fishing voyage, or for the fishing season, any fish, which may have been caught on board such vessel during the same, shall be delivered to the owner or to his agent for cure, and shall be sold by said owner or agent, such vessel shall, for the term of six months after such sale, be liable and answerable for the skipper's and every other fisherman's share of such fish, and may be proceeded against in the same form, and to the same effect, as any other vessel is by law liable and may be proceeded against for the wages of seamen or mariners in the merchant service. And upon such process for the value of a share or shares of the proceeds of fish delivered and sold as aforesaid, it shall be incumbent on the owner or his agent to produce a just account of the sales and division of such fish, according to such agreement or contract; otherwise the said vessel shall be answerable, upon such process, for what may be the highest value of the share or shares demanded. But in all cases the owner of such vessel or his agent, appearing to answer to such process, may offer thereupon his account of general supplies made for such fishing voyage, and of other supplies therefor made, to either of the demandants, and shall be allowed to produce evidence thereof in answer to their demands, respectively; and judgment:

* Act of June, 19th, 1813.

shall be rendered upon such process for the respective balances which, upon an inquiry, shall appear: But when process shall be issued against any vessel liable as aforesaid, if the owner thereof, or his agent, will give bond to each fisherman in whose favour such process shall be instituted, with sufficient security, to the satisfaction of two justices of the peace, one of whom shall be named by such owner or agent, and the other by the fisherman or fishermen pursuing such process, or if either party shall refuse, then the justice first appointed shall name his associate, with condition to answer and pay whatever sum shall be recovered by him or them on such process, there shall be an immediate discharge of such vessel: But nothing herein contained shall prevent any fisherman from having his action at common law for his share or shares of fish, or the proceeds thereof, as aforesaid.

*3. A duty of twenty cents per bushel shall be laid, imposed, and collected, upon all salt imported from any foreign port or place into the United States. In calculating the said duty, every fifty-six pounds of salt shall be computed as equal to one bushel. And the said duty shall be collected in the same manner, and under the same regulations, as other duties laid on the importation of foreign goods, wares, and merchandise, into the United States: But drawback shall in no case be allowed, and the term of credit for the payment of duties shall be nine months.

4. On all pickled fish of the fisheries of the United States, exported therefrom subsequent to the last day of December, one thousand eight hundred and fourteen, there shall be allowed and paid a bounty of twenty cents a barrel, to be paid by the collector of the district from which the same shall be so exported, without any deduction or abatement: But in order to entitle the exporter or exporters of such pickled fish to the benefit of such bounty or allowance, the said exporter or exporters shall make entry with the collector and naval officer of the district from whence the said pickled fish are intended to be exported; and shall specify in such entry the names of the master and vessel in which, and the place where, such fish are intended to be exported; and shall specify in such entry the names of the master and vessel in which, and the place where, such fish are intended to be exported, together with the particular quantity; and proof shall be made, to the satisfaction of the collector of the district from which such pickled fish are intended to be exported, and of the naval officer thereof, if any, that the same are of the fisheries of the United States; and no entry shall be received, as aforesaid, of any pickled fish which have not been inspected and marked pursuant to the inspection laws of the respective states where inspection laws are in force, in regard to any pickled fish; and the casks containing such fish shall be branded with the words "for bounty," with the name of the inspector or packer, the species and quality of the fish contained therein, and the name of the port of exportation; and the collector of such district shall, together with the naval officer, where there is one, grant an order or permit for an inspector to examine the pickled fish as expressed in such entry; and if they correspond therewith, and the said officer is fully satisfied that they are of the fisheries of the United States, to lade the same, agreeably to such entry, on board the ship or vessel therein expressed; which lading shall be performed under the superintendence of the officer examining the same, who shall make returns of the quantity and quality of pickled fish so laden on board, in virtue of such order or permit, to the officer or officers granting the same. And the said exporter or exporters, when the lading is completed, and after returns thereof have been made as above directed, shall make oath or affirmation, that the pickled fish expressed in such entry, and then actually laden on board the ship or vessel as therein expressed, are truly and bona fide of the fisheries of the United States, that they are truly intended to be exported as therein specified, and are not intended to be relanded within the limits of the United States; and shall also give bond, in double the amount of the bounty or allowance to be received, with one or more sureties, to the satisfaction of the collector of the port or place from which the said pickled fish are intended to be exported, conditioned that the same shall be landed and left at some foreign port or place without the limits aforesaid; which bonds shall be cancelled at the same periods, and in like manner, as is provided in respect to bonds given on the exportation of goods, wares, and merchandise, entitled to drawback of duties: But the said bounty or allowance shall not be paid until at least six months after the exportation of such pickled fish, to be computed from the date of the bond, and until the exporter or exporters thereof shall produce to the collector, with whom such outward entry is made, such certificates, or other satisfactory proof, of the landing of the same as aforesaid, as is made necessary for cancelling the bonds given on the exportation of goods entitled to drawback: And the bounty or allowance as aforesaid, shall not be paid unless the same shall amount to ten dollars, at least, upon each entry.

5. No bounty, drawback, or allowance, shall be made under the authority of this act, unless it shall be proved to the satisfaction of the collector that the pickled fish for which the bounty, drawback, or allowance, shall be claimed, was wholly cured with foreign salt, and on which a duty shall have been secured or paid.

6. If any pickled fish shall be falsely or fraudulently entered, with intent to obtain the bounty or allowance on their exportation, as here provided, when the said fish are not

entitled to the same, the said fish, or the value thereof, to be recovered of the person making such false entry, shall be forfeited.

7. From and after the last day of December, one thousand eight hundred and fourteen, there shall be paid, on the last day of December, annually, to the owner of every vessel, or his agent, by the collector of the district where such vessel may belong, that shall be qualified, agreeably to law, for carrying on the bank and other cod fisheries, and that shall actually have been employed therein at sea for the term of four months at the least of the fishing season next preceding, which season is accounted to be from the last day of February to the last day of November in every year, for each and every ton of such vessel's burthen, according to her admeasurement as licensed or enrolled, if of more than five tons, and not exceeding thirty tons, three dollars and fifty cents; and if above thirty tons, and having had a crew of not less than ten persons, and having been actually employed at sea for the term of three and half months, but less than four months of the season,* three dollars and fifty cents; of which allowance aforesaid three-eighths parts shall accrue and belong to the owner of such fishing vessel, and the other five-eighths thereof shall be divided by him, his agent, or lawful representative, to and among the several fishermen, who shall have been employed in such vessel during the season aforesaid, or a part thereof, as the case may be, in such proportions as the fish they shall respectively have taken may bear to the whole quantity of fish taken on board such vessel during such season: But the allowance aforesaid on any one vessel, for one season, shall not exceed three hundred and sixty dollars.

Bounties are restricted by an act of March 1st, 1817, to fishing vessels whose officers, and at least three-fourths of whose crews are proved to the satisfaction of the collectors of the district where they belong, to be citizens of the United States.

8. The original adjustment and settlement of the fare or fares among the owners and fishermen, together with a written account of the length, breadth, and depth, of said boat or vessel, when less than 20 tons, and the time she has actually been employed in the fishery in the preceding season, shall, in all cases, be produced and sworn on affirmed to before the said collector of the district, in order to entitle the owner, his agent, or lawful representative, to receive the allowances aforesaid. And if at any time within one year after payment of such allowance, it shall appear that any fraud or deceit has been practised in obtaining the same, the boat or vessel upon which such allowance shall have been paid, if found within the district aforesaid, shall be forfeited, otherwise the owner or owners, having practised such fraud or deceit, shall forfeit and pay one hundred dollars, to be sued for, recovered, and distributed, in the same manner as forfeitures and penalties are to be sued for, recovered, and distributed, for any breach of the act, entitled "An act to regulate the collection of duties on imports and tonnage."

9. The owner or owners of every fishing vessel of twenty tons and upwards, his or their agent or lawful representative, shall, previous to receiving the allowance made by this act, produce to the collector who is authorized to pay the same, the original agreement or agreements which may have been made with the fishermen employed on board such vessel, as is hereinbefore required, and also a certificate, to be by him or them subscribed, therein mentioning the particular days on which such vessel sailed and returned on the several voyages or fares she may have made in the preceding fishing season, to the truth of which he or they shall swear or affirm, before the collector aforesaid.

10. No ship or vessel of twenty tons or upwards, employed as aforesaid, shall be entitled to the allowance granted by this act, unless the skipper or master thereof shall, before he proceeds on any fishing voyage, make an agreement in writing, or in print, with every fisherman employed therein, according to the provisions of the act, entitled "An act for the government of persons in certain fisheries."

11. Any person who shall make any false declaration, in any oath or affirmation required by this act, being duly convicted thereof in any court of the United States having jurisdiction of such offence, shall be deemed guilty of wilful and corrupt perjury, and shall be punished accordingly.

Masters of fishing vessels that intend to touch at a foreign port during the cruise, should have a permit for that purpose from the collector of the district, as they are liable to forfeiture if they are found within 3 leagues of the coast with any foreign wares or merchandise of the value of \$500 on board, unless they have the permit. The masters must also deliver manifests, and make entries within the same time, and under the same penalty as is provided in the case of American vessels arriving from a foreign port.

A vessel licensed for the fisheries is liable to forfeiture under the 32d section of the license act, 18th Feb. 1793, for sailing without a license therefor with a load of goods even of domestic growth and not liable to duties, with intent to carry them to another place. The cargo is not liable to forfeiture under the next section of the same act, unless it belong to the master, owner, or some mariner of the vessel.—7 *Cranch*, 100.

* Where a fishing vessel is prevented, by illegal capture under authority from a foreign government, from being at sea for any part of the four months required, the time of detention shall be computed as part of the four months. Act of April 4th, 1818.

CHAPTER XVIII.

OF SHIPS.

All commercial nations have for the encouragement of the mercantile part of the community, to increase their tonnage and secure employment to their seamen, conferred various privileges upon ships belonging to their own citizens.

The government of the United States was early impressed with the propriety of adopting this policy. In the first administration of Washington, in the 2d session of the 2d congress, 31st December, 1792, and 18th February, 1793, acts were passed prescribing regulations for vessels employed in the foreign trade, coasting trade, and fisheries of the United States, which have continued with but few alterations to the present time.

These acts relate to all ships employed at sea, which may be divided into five classes: 1. Ships of the United States employed in foreign trade, which are entitled to be *registered*; 2. ships of the United States employed in the coasting trade of fisheries, which are entitled to be *enrolled and licensed*; 3. Ships built out of the United, but owned by citizens which are entitled to a *certificate of ownership*; 4. Ships built in the United States, but owned wholly or partly by foreigners, which are entitled to be *recorded*; 5. Ships built out of the United States and owned by foreigners, which are considered alien vessels to all intents and purposes.

Ships actually registered and ships duly qualified for carrying on the coasting trade and fisheries, or one of them, are alone denominated and deemed *ships or vessels of the United States*, entitled to the benefits and privileges appertaining to such ships or vessels—and they continue to enjoy the same no longer than they continue to be wholly owned and commanded by a citizen or citizens of the United States.*

Ships or vessels built within the United States before or after the 4th of July, 1776, and belonging wholly to citizens of the U. S., or not built within the United States, but on the 16th of May, 1789, and continually thereafter belonging to citizens; and ships or vessels captured by citizens in war and condemned as prize, or seized and condemned for a breach of revenue laws, and wholly belonging to citizens, may be registered; but are not required to be under any other penalty than not being ships of the United States.†

No citizen who usually resides in a foreign country, can during such residence, entitle himself to have registered a ship owned in whole or part by him, unless he be a consul or an agent or partner in some house of trade or partnership consisting of citizens actually carrying on trade within the United States.‡

No ships can be registered, or if registered, can be entitled to the benefit thereof, if owned in whole or in part by any naturalized citizen residing for more than one year in the country from which he originated, or for more than two years in any foreign country, unless he be a consul or public agent. But such ships may be registered anew on a *bona fide* sale to any citizen resident within the United States.§

No ship built within the United States before the 16th of May, 1789, and not then owned wholly or partly by a citizen, can be registered, even on a transfer to a citizen, unless by way of prize or forfeiture.||

And no registered ships, which shall be seized or captured, and condemned by a foreign power, can be registered anew, except regained by purchase or otherwise by the original owner, at the time of capture or seizure, or by his executors or administrators, but such ship shall be deemed a *foreign vessel* though purchased or owned by any other citizen.¶

Ships entitled to be *recorded*, and entitled to the benefits of *recorded ships* in the United States, are ships or vessels built in the United States after the 15th of August, 1789, and belonging wholly or in part to foreigners.**

Ships entitled to be *enrolled* are ships of 20 tons or upwards, possessing the same qualifications and requisites as are made necessary for registering ships, i. e. they must be built within the United States, and be owned wholly by citizens. If under 20 tons, they are entitled to a *license*. No ships, unless enrolled and licensed, are deemed ships of the United States, entitled to the privileges of ships employed in the coasting trade or fisheries;†† and if any not enrolled or licensed, are found engaged in the coasting or fish-

* Act, 31st December, 1792, ch. 1.

† Act, 31st December, 1792, ch. 1. sect. 2.

‡ Act of 31st December, 1792, sect. 2.

§ Act, 27th March, 1804, ch. 52. sect. 1.

|| Act, 31st December, 1792, sect. 2.

¶ Acts 27th June, 1797, ch. 5. sect. and 27th March, 1804, ch. 52. sect. 2.

** Act, 31st December, 1792, ch. 1. sect. 20.

†† Act, 18th February, 1793, ch. 8 sect. 1. 2.

eries, they are subject to forfeiture, if they have on board any foreign articles or distilled spirits, other than sea stores. *ibid.* sect. 6. unless the vessel be at sea at the expiration of the time for which the license was granted; in which case the forfeiture is not incurred, provided the master prove the fact and deliver his license to the collector of the district, in which he shall first arrive within 48 hours after his arrival.

In the United States, no vessels are *required* to be registered. But to entitle them to the privileges of vessels of the U. S. they must be registered, and otherwise are deemed alien ships; as is before stated, vessels engaged in the coasting trade or fisheries, are liable to forfeiture if they have foreign articles on board, unless they are *enrolled and licensed*.*

The place of registry in the United States is *in general* the *Collector's District*, in which shall be comprehended the *port* to which the vessel shall belong at the time of her registry, which port shall be deemed to be that at, or nearest to which the owner, if there be but one, or if more than one, the husband or acting and managing owner of the vessel usually resides, and the registry must be made by the collector of such district.†

Where, however, a citizen of the United States purchases a vessel entitled to be registered, and the vessel is *in another district* than that where he usually resides, such vessel may be registered by the Collector of the District, where the vessel is at the time of the purchase, upon the purchaser's complying with the provisions of the law in common cases. And the usual oath or affirmation may be taken by the owner at his option, either before such Collector, or the Collector of his own district. But upon the vessels' arriving within the district to which she belongs, the certificate of registry, granted to her, must be delivered up to the Collector thereof, who is to grant a new certificate in lieu of the first, upon compliance with the provisions of the law in common cases, and is to transmit the certificate delivered up to the collector who granted it. If the certificate be not delivered up, it becomes void, and the purchaser and the master incur a penalty of one hundred dollars; and the same penalties are inflicted for false swearing, as in the case of an oath made by an agent as in the next paragraph.‡

And if a vessel entitled to be registered is purchased by an agent or attorney for or on account of a citizen of the United States, such vessel being in a district of the United States more than fifty miles distant, taking the nearest usual route by land from that, comprehending the port to which such vessel by virtue of such purchase, and by force of the act, ought to be deemed to belong, the collector of the district, where the vessel is to register the vessel upon application of the agent or attorney, and his complying with the requisites of the law in common cases, except that in the oath or affirmation he must state that he is agent or attorney for the owner, and that he hath purchased the vessel *bonâ fide* for the person whom he names as owner. If he swear falsely there is a forfeiture of the vessel of her value, to be recovered of such agent or attorney.

These clauses declaring the vessel or her value to be forfeited for any false oath taken to procure a register, have been construed so that the absolute property of the ship does not in fact, or in law, vest in the United States upon the taking of the false oath, but remains in the owner until the United States have manifested their intention to take the ship and not the value.—3 *Cranch*, 337.

The ship may be recovered of the owners, but the value must be recovered of the person taking the false oath.—*Ibid.*

Upon the vessel arriving in the district to which she belongs, the certificate must be delivered up, and a new one granted in the same manner and under the same penalties as in the last preceding case.¶

In order to the registry of a vessel in the United States, the act of 31st December, 1793, prescribes that an oath or affirmation must be taken and subscribed by the owner before the proper officer. This oath or affirmation among other things states, the place of residence and citizenship of the party applying; that he is sole owner, or if the fact be otherwise, the names of the other part-owners, their residence and citizenship, and if such part-owners be resident in a foreign country, that they are consuls or agents, or partners in a house consisting of citizens of the United States and trading within the United States. It further states the name and burthen of the vessel, the place where and the year when built; if built within the United-States before the 16th of May, 1789, that she was then owned wholly or in part by citizens of the United States; if not built within the United States, that she was on that day entirely owned by citizens of the United States, and so continued to be owned ever since. If a prize, it further states that she was after the 31st March, 1793, captured by citizens of the United States and legally condemned; if forfeited for breach of the laws of the United States it states that she has been so adjudged, and in both cases an authenticated copy of the condemnation must be produced. It further states that the master is a citizen of the United States, and whether by birth, naturalization, or otherwise, and that no foreigner hath directly or indi-

* Act, 18th February, 1793. ch. 8 sect. 12.

† Act of December 31, 1792. ch. 1. sect. 3. ‡ *Ibid.* sect. 11. ¶ *Ibid.* sect. 12.

rectly any interest in the ship. In case the master be within the district at the time of the registry, he, and not the owner, makes oath to his citizenship. If the master swear falsely, he forfeits \$1000.*

In case a new ship is to be registered, it is necessary to produce a certificate under the hand of the master-carpenter, by whom or under whose direction she was built, testifying that she was built by him or under his direction, and specifying the place where, and the time when, and the person for whom built, and describing her build, number of decks and masts, length, breadth, depth, tonnage, and such other circumstances as are usually descriptive of the identity of a ship; and such a certificate authorizes the removal of a new ship in ballast from the district where built, to another district in the same, or an adjoining state where the owner actually resides.†

The oath or affirmation is taken before the collector or other officer authorized to make the registry. If there be two or more owners, it is to be taken by at least one of them, and the other owners, who are resident within the United States, must transmit to the collector, who grants the certificate of registry, a like oath or affirmation within ninety days after the same is granted, and the same may be taken by them, either before the same or any other collector, or a Judge of the Supreme or District Court of the United States, or of a Superior Court of original jurisdiction of some one of the States. If such oath or affirmation shall not be taken and transmitted within 90 days, the certificate of registry is forfeited and void.‡

Before a ship can be registered in the United States she must be measured by a surveyor, or a person appointed by him, or by the collector, or a person appointed by him, when there is no surveyor, in the port where she is. The officer who measures the ship for the information of, and as a voucher to the person who makes the registry, shall grant a certificate specifying the build of the ship, her number of decks and masts, her length, breadth, depth, tonnage, and such other particulars as identify a ship, and that her name, and the place to which she belongs, are painted on her stern in the manner required by the act. This certificate is to be countersigned by the owner or by some other person who may attend the admeasurement on behalf of the owner, in testimony of its truth, and without this the certificate is invalid. This admeasurement need not be made upon any subsequent registry, unless the ship has undergone some alteration in burthen.§

When the terms of the Act of the United States have been complied with, the collector is to make a record or registry of the ship, and grant an abstract, or certificate thereof in the particular form prescribed by law, viz :

"In pursuance of an act of the Congress of the United States of America, entitled, "An act concerning the registering and recording of ships or vessels," [inserting here the name, occupation, and place of abode, of the person by whom the oath or affirmation aforesaid, shall have been made] having taken or subscribed the oath (or affirmation) required by the said act, and having sworn (or affirmed) that he (or she, and if more than one owner, adding the words, "together with," and the name or names, occupation or occupations, place or places of abode, of the other owner or owners) is (or are) the only owner (or owners) of the ship or vessel, called the [inserting here her name] of [inserting here the port to which she may belong] whereof [inserting here the name of the master] is at present master, and is a citizen of the United States, and that the said ship or vessel was [inserting here, when and where built] and [inserting here, the name and office, if any, of the person by whom she shall have been surveyed or admeasured] having certified that the said ship or vessel has [inserting here, the number of decks] and [inserting here, the number of masts] and that her length is [inserting here, the number of feet] her breadth [inserting here, the number of feet] her depth [inserting here, the number of feet] and that she measures [inserting here, her number of tons] that she is [describing here, the particular kind of vessel, whether ship, brigantine, snow, schooner, sloop, or whatever else, together with her built, and specifying whether she has any, or no gallery or head] and the said [naming the owner, or the master, or other person, acting in behalf of the owner or owners, by whom the certificate of admeasurement shall have been countersigned, as aforesaid] having agreed to the description and admeasurement, above specified, and sufficient security having been given, according to the said act, the said ship or vessel has been duly registered at the port of [naming the port where registered.] Given under my hand and seal, at [naming the said port] this [inserting the particular day] day of [naming the month] in the year [specifying the number of the year, in words at length."]||

Where a new certificate is granted on a transfer, the words are so varied as to refer to the former certificate of registry for her admeasurement. So where the master makes oath of his citizenship the words are varied accordingly.||

So, before granting a certificate of registry, the act of the United States requires that the husband or acting or managing owner of the ship should, with the master and

* Act, 31st December, 1792. sect. 4. † Ibid. sect. 8. ‡ Ibid. sect. 4 and 5;

§ Ibid. sect. 6. || Ibid. sect. 9.

with a surety or sureties, give bond to the United States, if such ship or vessel shall be of burthen not exceeding fifty tons, in the sum of four hundred dollars; if of burthen above fifty tons, and not exceeding one hundred, in the sum of eight hundred dollars; if of burthen above one hundred tons, and not exceeding two hundred, in the sum of twelve hundred dollars; if of burthen above two hundred tons, and not exceeding three hundred, in the sum of sixteen hundred dollars; and if of burthen exceeding three hundred tons, in the sum of two thousand dollars, with condition that the certificate shall be solely used for the ship, for which it is granted, and shall not be sold, lent, or otherwise disposed of to any person; and that in case the ship shall be lost, or taken by an enemy, burnt or broken up or otherwise prevented from returning to the port to which she belongs, or in case she shall be sold when at sea or in a foreign port to a foreigner or for his benefit, the certificate shall be delivered up within eight days after the arrival of the master within any district of the United States to the collector of such district; and in case of a sale to any foreigner when the ship is within a district of the United States, that it shall be delivered up to the collector thereof within seven days, and every such certificate, so delivered up, shall be forthwith transmitted to the Register of the Treasury, to be cancelled, who, if the same shall have been delivered up to a collector, other than of the district in which it was granted, shall notify the collector of that district of the delivery.*

And if any certificate of registry be fraudulently or knowingly used for any ship not then actually entitled to the benefit of it, such ship is forfeited.† This section extends to vessel which have not, as well as to those which have been previously registered.—3 *Wheat*, 101.

When the master of a registered ship is changed, the owner or the new master is to report such change, to the collector of the port where such change happens, or where the ship shall first be after the change, and to produce to him the certificate of registry, and make oath or affirmation that the new master is a citizen of the United States, and the manner in which he is so. The collector is thereupon to endorse upon the certificate a memorandum of the change, specifying the name of the new master, and to transmit a copy of it to the collector of the district where the ship is registered, if it be not his district, and such collector shall make a like memorandum of such change in his book of registers, and transmit a copy of it to the Register of the Treasury. If this change is not reported the registry is void, and the master forfeits one hundred dollars.‡

So if a registered ship be sold or transferred, in whole or in part to a foreigner by way of trust, confidence, or otherwise, the sale or transfer must be reported in the same manner, or the ship will be forfeited; but if the ship be owned in part only, the shares of the owners, consant of the sale or transfer, are only forfeited.§

The name of every registered ship in the U. S., and the port to which she belongs, must be painted on her stern on a black ground in white letters of not less than three inches in length, under a penalty of fifty dollars.||

If any registered ship in the U. S. be altered in form or burthen by being lengthened or built upon, or from one denomination to another by the mode of rigging or fitting, she must be registered anew by her former name, or she will cease to be deemed a ship of United States. When the new registry is applied for, the former certificate is to be delivered to the collector to whom application is made. If not so delivered up, the owner forfeits five hundred dollars, unless it is lost, destroyed, or unintentionally mislaid.**

The certificates granted to registered ships in the United States are to be numbered progressively, beginning anew at the commencement of every year; and an exact copy of each certificate is to be entered in a book kept for the purpose, and also transmitted once in three months to the Register of the Treasury.††

Upon such entry an oath or affirmation must be made, that it contains the names of all the then owners of the ship, or if any part has been transferred since the granting the register, that such is the case, and that no foreigner has any share by way of trust, confidence, or otherwise in the ship. This oath or affirmation is to be taken by the owner or part-owner, if the entry be at the port where they reside, otherwise by the master. If the owner or master refuse to take the oath or affirmation, the ship loses the privileges of an United States ship.‡‡

So by the act of the United States, if the certificate be lost, destroyed or mislaid, a new register may be granted by the collector of the port where the ship shall first be, after such loss, destruction or mislaying, upon oath or affirmation made by the master or other person having command of the ship, viz. "I (inserting here the name of the person swearing or affirming) being master (or having the charge or command) of the ship or vessel, called the (inserting the name of the vessel) do swear (or affirm) that the said ship or vessel, hath been, as I verily believe, registered, according to law, by the name of (inserting again the name of the vessel) and that a certificate thereof was granted by the collector of the district of (naming the district, where registered) which certificate has been lost (or destroyed, or unintentionally and by mere accident mislaid, as the

* Act 31. December 1792. sect. 7. † Ibid. sect. 27. ‡ Ibid. sect. 15. § Ibid. sect. 16. || Ibid. sect. 3. ** Ibid. sect. 14 & 6. †† Ibid. sect. 19. ‡‡ Ibid. sect. 17.

case may be) and (except, where the certificate is alledged to have been destroyed) that the same, if found again, and within my power, shall be delivered up to the collector of the district; in which it was granted ;” and when complying with the other requisites of the act in order to the registry of ships; and the new register, if granted in any other district than that to which the ship belongs, is valid only for ten days after her first arrival within the district to which she belongs, and must then be given up and a new one granted; otherwise a penalty of one hundred dollars is incurred.*

In cases where the master is required to deliver up the certificate to the *Collector*, if he refuse, he incurs a pecuniary penalty, and the ship loses her right to the privileges of an United States ship.†

The act of the United States requires that upon every transfer there shall be some instrument in writing, in the nature of a bill of sale, which shall recite at length the certificate of registry, otherwise the ship shall be incapable of being registered anew, and loses the privileges and benefits of a ship of United States.‡ But the act does not invalidate the contract as between the parties, but leaves it to the general operation of law. It only deprives the ship of her former character, and treats her as a *foreign* ship.

Whenever a registered ship of the United States is sold or transferred in whole or in part to a citizen of the United States, she must be registered anew by her former name, and the requisites of the law in common cases of registry must be complied with, otherwise she ceases to be a ship of the United States. And in this case her former registry must be given to the collector, to whom application is to be made for the new registry. In case of a transfer of a registered vessel while at sea, a new register is not necessary to protect the vessel from alien duties when she arrives, or the cargo which was actually imported while the old register was in force. If the alienation be to a foreigner, her privileges are *ipso facto* forfeited, but if to a citizen, they are not forfeited until after she should have been registered anew, and the oath which entitles her to enter does not require such new register.—4 *Cranch*, 57. And if the certificate of registry is not delivered up, upon such sale or transfer, the owner forfeits five hundred dollars, unless the same is lost, destroyed, or unintentionally mislaid, and oath or affirmation made thereof.‡

When the register of a ship is delivered up agreeably to law to the collector of the district where it was granted, the *bond* given at the time of granting it, is to be *cancelled*; but if delivered up to any other collector, he is to give a receipt or acknowledgment of the delivery, and specify the time when; and upon this receipt being produced to the collector, who granted the register, he is to cancel the bond.§

In case of a sale and transfer by *process of law*, if the former owners do not surrender up the register, upon proof of the facts, to the Secretary of the Treasury, he may direct the collector of the district to which the ship belongs, to grant a new register to the purchasers, upon their complying with the other conditions, required in ordinary cases.¶

In the act of United States 2d March, 1803. ch. 71. sect. 3. provision is made for cases of ships abroad at the time of sale. By this act when a registered ship is sold or transferred in whole or in part to a citizen of the United States, while she is without the limits of the United States, she is to be entitled to all the privileges of registered ships of the United States, provided all the requisites of law for the registry of ships are complied with, and a new certificate of registry obtained for such ship, within three days from the time at which the master or other person having command of the ship is required to make his final report, upon her first arrival afterwards in the United States, agreeably to the 30th section of the act 2. March, 1799, for regulating the collection of duties on imports and tonnage. And the tonnage duties of such ships are payable at any time within the three days.

If a ship is sold by a master while abroad, under an express or implied power from the owner to sell, in case of extreme necessity, still the ship must be transferred by the master, as between British subjects, according to the requisitions of the registry acts, if she specifically subsists as a ship, but perhaps it would be otherwise where she was a mere wreck. *Reid v. Darby*. 10 East. 143.

There is no clause in the act of the United States, requiring the assent of the other owners to the transfer of a part of a registered ship to a foreigner. But every such transfer, whether by way of trust, confidence, or otherwise, must be made known, otherwise a forfeiture is incurred of the ship.**

It has moreover been the policy of the legislature of the United States, for the purpose of encouraging ship-building among our citizens, to confer certain privileges on ships built within the United States, even when owned by *foreigners*. These privileges are not equal to the privileges enjoyed by citizens of the United States, but are superior to those of foreign built ships. Such ships are entitled to be *recorded*.

Every such ship must be recorded in the office of the collector of the district in which

* Act 31. December, 1792. sect. 13. + Ibid. sect. 13 & 17. ‡ Ibid. sect. 14.

† Ibid. sect. 18. ¶ Act of March 2. 1797. ** Act of 31 December, 1792. sect. 16.

she was built. In order to entitle her to be recorded, the carpenter who built her, is to make *oath or affirmation* before the collector, that he built her, and is to give a description of her, in manner following; viz. "I (inserting here the name of such builder) of (inserting here the place of his residence) shipwright, do swear (or affirm) that (describing here the kind of vessel, as, whether ship, brig, snow, schooner, sloop, or whatever else) named (inserting here the name of the ship or vessel) having (inserting here the number of decks,) and being, in length (inserting here the number of feet) in breadth (inserting here the number of feet) in depth (inserting here the number of feet) and measuring (inserting here the number of tons) having (specifying, whether any or no) gallery, and (also specifying, whether any or no) head, was built by me, or under my direction, at (naming the place, county, and state) in the United States, in the year (inserting here the number of the year;)" which oath, or affirmation, shall be subscribed by the person making the same, and shall be recorded by the said collector. She must also be measured, and a certificate of the admeasurement be made and countersigned, and a certificate of the *record* be granted, in the following form:*

"In pursuance of an act, intitled, "An act concerning the registering and recording of ships or vessels," I (inserting here the name of the collector of the district) of (inserting here the name of the district) in the United States, do certify, that (inserting here the name of the builder) of (inserting here the place of his residence, county, and state) having sworn, or affirmed, that the (describing the ship or vessel, as in the certificate of record) named (inserting here her name) whereof (inserting here the name of the master) is, at present, master, was built at (inserting here the name of the place, county, and state, where built) by him, or under his direction, in the year (inserting here, the number of the year) and (inserting here the name of the surveyor, or other person, by whom the same admeasurement shall have been made) having certified, that the said ship or vessel has (inserting here her number of decks) is, in length (inserting here, the number of feet) in breadth (inserting here, the number of feet) in depth (inserting here, the number of feet) and measures (inserting here, the number of tons;) And the said builder and (naming and describing the owner, or master, or agent for the owner, or owners, as the case may be, by whom the said certificate shall have been countersigned) having agreed to the said description and admeasurement, the said ship or vessel has been recorded, in the district of (inserting here, the name of the district, where recorded) in the United States; Witness my hand and seal, this (inserting here, the day of the month) day of (inserting here, the name of the month) in the year (inserting here, the number of the year;)" which certificate shall be recorded in the office of the said collector, and a duplicate thereof transmitted to the Register of the Treasury of the United States, to be recorded in his office.

Every change of the master must be endorsed on the certificate, and recorded and transmitted in the same manner, as in cases of registered ships.† On *entry*, the certificate of the record must be produced to the collector, where the ship is entered. Neglect or refusal in either case, occasions a forfeiture of the privileges of a recorded ship.

All ships which have not taken out certificates of registry since 31st Dec. 1814, must before clearance take them out, according to an act passed March 3d, 1813. Ships duly registered are entitled to new certificates of registry gratis, in exchange for their old. It is the duty of collectors, upon the clearance of any such vessel, to issue a new certificate and deface the old.

COASTING TRADE AND FISHERIES.

As to ships engaged in the coasting trade or fisheries, in order to entitle them to the privileges of ships of the United States, in such employment, they must be enrolled, and for that purpose must (as has been before stated) possess the same qualifications, and the same requisites must be complied with, as are made necessary for registering ships. And the same duties and authorities are given and imposed on all officers respectively, in relation to such *enrolments*, and the same proceedings are to be had, in similar cases, touching such enrolments; and the ships so enrolled, with the master or owner, are subject to the same requisites, as are in those respects provided for ships registered. A record of the enrolment is to be made, and a certificate or copy granted, in the form prescribed by law: viz. "Enrolment in conformity to an act of the Congress of the United States of America, intitled "An act for enrolling and licensing ships or vessels, to be employed in the coasting trade and fisheries, and for regulating the same" (inserting here the name of the person with his occupation and place of abode, by whom the oath or affirmation is to be made) having taken and subscribed the oath (or affirmation) required by this act, and having sworn (or affirmed) that he (or she, and if more than one owner,

* Act 31. December, 1792. sect. 20, 21, 22. † Ibid. sect. 23.

adding the words "together with," and the name or names, occupation or occupations, place or places of abode, of the owner or owners) is, (or are) a citizen (or citizens) of the United States, and sole owner (or owners) of the ship or vessel, called the (inserting here her name) of (inserting here the name of the port, to which she may belong) whereof (inserting here the name of the master) is at present master, and is a citizen of the United States, and that the said ship or vessel was (inserting here when and where built) and (inserting here, the name and office, if any, of the person, by whom she shall have been surveyed, or admeasured) having certified, that the said ship or vessel has (inserting here, the number of decks) and (inserting here, the number of masts) and that her length is (inserting here, the number of feet) her breadth (inserting here, the number of feet) her depth (inserting here, the number of feet) and that she measures (inserting here, her number of tons) that she is (describing here, the particular kind of vessel whether ship, brigantine, snow, schooner, sloop, or whatever else, together with her built, and specifying, whether she has any or no gallery or head) and the said (naming the owner, or the master, or other person acting in behalf of the owner or owners, by whom the certificate of admeasurement shall have been countersigned) having agreed to the description and admeasurement above specified, and sufficient security having been given, according to the said act, the said ship or vessel has been duly enrolled, at the port of (naming the port where enrolled) Given under my hand and seal, at (naming the said port) this (inserting the particular day) day of (naming the month) in the year, (specifying the number of the year, in words at length.)^{*} But if a ship be under twenty tons, she need not be enrolled, but must be licensed. Ships so enrolled, must moreover have a license in force for the coasting trade or fisheries, before they are entitled to the privileges of the ships of the United States. And in order to the licensing of a ship, the husband or managing owner, must give a bond with one or more sureties, in a sum varying according to the tonnage of the ship, from one hundred to one thousand dollars; that the ship shall not, during the existence of the license, be engaged in any trade whereby the revenue of the United States shall be defrauded. And the master must also swear or affirm, that he is a citizen of the United States, and that the license shall not be used for any other ship, or any other employment, than that for which it is specially granted, or in any trade or business, whereby the revenue of the United States may be defrauded. And if the ship be of less burthen than twenty tons, the husband or managing owner, must swear or affirm that she is wholly the property of citizens of the United States. The license is then to be granted in the form prescribed by law, and is in force generally for a year only; and while she continues to be owned by the same person, and to be of the same description, and employed in the same business as are stated in the license,[†] the form of which is as follows: viz. "License for carrying on the (here insert, coasting trade, whale fishery, or cod fishery, as the case may be.)

"In pursuance of an act of the Congress of the United States of America, entitled "An act for enrolling and licensing ships or vessels to be employed in the coasting trade and fisheries, and for regulating the same," (inserting here the name of the husband or managing owner, with his occupation and place of abode, and the name of the master, with the place of his abode) having given bond, that the (insert here, the description of the vessel, whether ship, brigantine, snow, schooner, sloop, or whatever else she may be,) called the (insert here, the vessel's name) whereof the said (naming the master) is master burthen (insert here, the number of tons, in words) tons, as appears by her enrolment, date dat (naming the district, day, month, and year, in words at length (but if she be less than twenty tons, insert, instead thereof) proof being had of her admeasurement, shall not be employed in any trade, while this license shall continue in force, whereby the revenue of the United States shall be defrauded, and having also sworn (or affirmed) that this license shall not be used for any other vessel, or for any other employment, than is herein specified, license is hereby granted for the said (inserting here, the description of the vessel) called the (inserting here the vessel's name) to be employed in carrying on the (inserting here, coasting trade, whale fishery, or cod fishery, as the case may be) for one year from the date hereof, and no longer. Given under my hand and seal, at (naming the said district) this (inserting the particular day) day of (naming the month) in the year (specifying the number of the year in words at length.)"

Registered ships may be enrolled upon giving up their register, and so *vice versa* enrolled ships may be registered upon giving up their enrolment and license. And when any ship is in another district than that to which she belongs, the collector of such district, upon the application of the master or commander, and his taking an oath or affirmation that, according to his best knowledge and belief, the property remains as stated in the register or enrolment, proposed to be given up, and upon his giving the bonds required for granting registers, shall make the exchanges aforesaid. The enrolment and license, or register so granted, must be delivered to the collector of the district where the ship be-

^{*} Act 18th February, 1793. ch. 8. sect. 1. [†] Ibid. sect. 4, 6.

longs, within ten days after her arrival therein, and be by him cancelled, under the penalty of one hundred dollars, to be paid by the master.*

Ships not enrolled and licensed, or under twenty tons burthen, not licensed, (other than *registered ships*;) if found trading between district and district, or between different places in the same district, or carrying on the fisheries, pay the same fees and tonnage as foreign ships if laden with goods, the growth or manufacture of the United States only, (distilled spirits excepted) or in ballast; but if having on board any articles of foreign growth or manufacture, or distilled spirits, other than sea stores, are, with their lading, forfeited.† Ships found with a false license, or making use of a license belonging to another ship, are together with their cargo forfeited.‡ Ships *licensed*, if transferred to any person not a citizen of, and resident within the United States, or if employed in any other trade than that for which they are licensed, are together with their cargo forfeited.§ Ships enrolled and licensed, if proceeding on a foreign voyage without delivering up the enrolment and license, and being duly registered, are, together with the cargo imported, forfeited.|| If the port from which the ship is about to sail, be not within the District of her enrolment, the collector shall give to the master a certificate, specifying that the enrolment and license have been received by him and the time when they were received, which certificate shall afterwards be delivered by the master to the collector who granted the enrolment and license. But ships licensed for the fisheries, may obtain permission to touch and trade at foreign ports, and may thereupon take on board goods of foreign growth or manufacture; but if found with such goods on board within three leagues of the coast, without having such permission, are, together with such goods imported therein, forfeited.** But these forfeitures do not apply to any part of the cargo which is owned by other persons than the master, owner or mariners of the ship.††

Registered ships are not interdicted from trading between district and district, but their privileges are not so great as those of licensed ships.‡‡ They are subject to the same regulations, penalties, and forfeitures, (except as to fees,) and the like duties are imposed on like officers, as is provided by the 16 and 17th sections of the act for licensed vessels.

This does not however extend to registered vessels having goods of foreign growth or manufacture on which the duties have not been paid or secured. Foreign ships also may trade in like manner in goods of the growth or manufacture of the United States, but not of foreign countries.§§

The licenses granted are to be numbered progressively, beginning *anew* every year. Ships licensed or enrolled, or registered *anew*, or exchanged the one for the other, are to hold their former name, and are to have their names and the ports where they belong, painted on their sterns.|||| Every change of the master of such ships is to be reported to the collector and endorsed upon the license, and a neglect in this particular, subjects the ships to pay the fees and tonnage of registered ships and the master to pay 10 dollars.¶

¶¶ The license shall be given up to the collector of the district, who may have granted the same, within three days after the expiration of the time for which it was granted, in case such vessel be then within the district, or if she be absent within three days from her first arrival within the district, or if she be sold out of the district, within three days after the arrival of the master within any district, to the collector, taking his certificate therefor; and if the master thereof shall neglect, or refuse to deliver up the license, he shall forfeit fifty dollars; but if such license shall have been previously given up to the collector of any other district, and a certificate thereof be produced, or if such license be lost, or destroyed, or unintentionally mislaid, so that it cannot be found, and the master shall make an oath or affirmation thereof, and that the same, if found, shall be delivered up, then the penalty shall not be incurred. And if such license shall be lost, destroyed, or unintentionally mislaid, before the expiration of the time, for which it was granted, upon the like oath or affirmation being made by the master, the said collector is authorized to license such vessel anew.

(a) It shall be lawful for the owner or owners of any licensed vessel, to return such license to the collector who granted within the year, for which it was granted, who shall thereupon license such vessel anew upon the conditions before required, on abatement of the tonnage of six cents per ton shall be made, in the proportion of the time so unexpired.

(b) It shall be lawful, at all times; for any officer concerned in the collection of the revenue, to inspect the enrolment or license of any vessel; and if the master shall not exhibit the same, when thereunto required by such officer, he shall pay one hundred dollars.

(c) The master of every vessel licensed, destined from a district in one state, to a dis-

* Act 18 February, 1793. ch. 8. sect. 3. † Ibid. sect. 6. ‡ Ibid. sect. 5.

§ Ibid. sect. 32. || Ibid. sect. 8. ** Ibid. sect. 21. †† Ibid. sect. 33.

‡‡ Ibid. sect. 6, 20, 33. §§ Ibid. sect. 6, 24. |||| Ibid. sect. 7, 11. ¶ Ibid. sect. 12.

¶¶ Ibid. sect. 9. (a) Ibid. sect. 10. (b) Ibid. sect. 13. (c) Ibid. sect. 14.

tract in the same, or an adjoining state on the sea coast, or on a navigable river, having on board, either distilled spirits in casks exceeding five hundred gallons, wine in casks exceeding two hundred and fifty gallons, or in bottles exceeding one hundred dozens, sugar in casks or boxes exceeding three thousand pounds, tea in chests or boxes exceeding five hundred pounds, coffee in casks or bags exceeding one thousand pounds, or foreign merchandize in packages, as imported, exceeding in value four hundred dollars, or goods wares or merchandize, consisting of such enumerated or other articles of foreign growth or manufacture, or of both, whose aggregate value exceeds eight hundred dollars, shall, previous to her departure, from the port where she may then be, make out and subscribe duplicate manifests of the whole of such cargo on board such vessel, specifying in such manifests, the marks and numbers of every cask, bag, box, chest or package containing the same, with the name and place of residence of every shipper and consignee, and the quantity shipped by and to each, and if there be a collector or surveyor, residing at such port, or within five miles thereof, he shall deliver such manifests to the collector, if there be one, otherwise to the surveyor, before whom he shall swear or affirm, that the goods therein contained were legally imported, and the duties thereupon paid or secured, or if spirits distilled within the United States, that the duties thereupon have been paid or secured, whereupon the said collector or surveyor shall certify the same on the said manifests, one of which he shall return to the said master, with a permit, specifying thereon, generally, the lading on board such vessel, and authorizing him to proceed to the port of his destination. And if any vessel, being laden and destined, as aforesaid, shall depart from the port where she may then be, without the master having first made out and subscribed duplicate manifests of the lading on board such vessel, and in case there be a collector or surveyor residing at such port, or within five miles thereof, without having previously delivered the same to the said collector or surveyor, and obtaining a permit, such master shall pay one hundred dollars.

• The master of a vessel having on board any of the articles as described in the preceding section, arriving from a district in one state, at a district in the same or an adjoining state on the sea coast, or on a navigable river, shall, previous to the unlading of any part of the cargo of such vessel, deliver to the collector, if there be one, or if not, to the surveyor residing at the port of her arrival, or if there be no collector or surveyor residing at such port, then to a collector or surveyor, if there be any such officer, residing within five miles thereof, the manifest of the cargo, certified by the collector or surveyor of the district from whence she sailed (if there be such manifest) otherwise the duplicate manifests thereof, as is herein before directed, to the truth of which, before such officer, he shall swear or affirm. And if there have been taken on board such vessel, any other or more goods, than are contained in such manifest or manifests, since her departure from the port, from whence she first sailed, or if any goods have been since landed, the said master shall make known and particularize the same to the said collector or surveyor, or if no such goods have been so taken on board or landed, he shall so declare, to the truth of which he shall swear or affirm: Whereupon, the said collector or surveyor shall grant a permit for unlading a part, or the whole of such cargo, as the said master may request. And if there be no collector or surveyor, residing at, or within five miles of the said port of her arrival, the master of such vessel may proceed to discharge the lading from on board such vessel, but shall deliver to the collector or surveyor, residing at the first port, where he may next afterwards arrive, and within twenty-four hours of his arrival, the manifest or manifests aforesaid, noting therein the times when, and places where, the goods, therein mentioned, have been unladen, to the truth of which, before the said last mentioned collector or surveyor, he shall swear or affirm; and if the master of any such vessel, being laden as aforesaid, shall neglect or refuse to deliver the manifest or manifests, at the times, and in the manner, herein directed, he shall pay one hundred dollars.

† The master of every vessel licenced for carrying on the coasting trade, and being destined from any district of the United States, to a district other than a district in the same, or an adjoining state, on the sea coast, or on a navigable river, shall, previous to her departure, deliver to the collector residing at the port where such vessel may be, if there is one, otherwise to the collector of the district comprehending such port, or to a surveyor within the district, as the one or the other may reside nearest to the port at which such vessel may be, duplicate manifests of the whole cargo on board such vessel, or if there be no cargo on board, he shall so certify, and if there be any distilled spirits, or goods, wares and merchandize, of foreign growth or manufacture on board, other than what may, by the collector, be deemed sufficient for sea-stores, he shall specify in such manifests, the marks and numbers of every cask, bag, box, chest or package, containing the same, with the name, and place of residence, of every shipper and consignee of such distilled spirits, or goods of foreign growth or manufacture, and the quantity shipped by, and to each, to be by him subscribed, and to the truth of which, he shall swear or affirm;

and that such goods, wares, or merchandise, of foreign growth or manufacture, were, to the best of his knowledge and belief, legally imported, and the duties thereupon, paid or secured; or if spirits distilled within the United States, that the duties thereupon, have been duly paid or secured; upon the performance of which, and not before, the said collector or surveyor shall certify the same on the said manifests; one of which he shall return to the master, with a permit, thereto annexed, authorizing him to proceed to the port of his destination. And if any such vessel shall depart from the port where she may then be, having distilled spirits, or goods, wares, or merchandise, of foreign growth or manufacture on board, without the several things herein required, being complied with, the master thereof shall forfeit one hundred dollars; or if the lading be of goods, the growth or manufacture of the United States only, or if such vessel have no cargo, and she depart, without the several things herein required, being complied with, the said master shall forfeit and pay fifty dollars.

Upon the arrival of the vessel at the port to which she is destined, the master shall deliver to the collector, if there be one, otherwise to the collector or surveyor in the district comprehending such port, as the one, or the other, may reside nearest thereto, if the collector or surveyor reside at a distance not exceeding five miles, within twenty-four hours, or if at a greater distance, within forty-eight hours next after his arrival; and previous to the unloading of any of the goods brought in such vessel, the manifest of the cargo, (if there be any) certified by the collector or surveyor of the district from whence she last sailed, and shall make oath or affirmation, before the said collector or surveyor, that there was not, when he sailed from the district where his manifest was certified, or has been since, or then is, any more, or other goods, wares or merchandise of foreign growth or manufacture, or distilled spirits (if there be any, other than sea-stores, on board such vessel) than is therein mentioned; and if there be no such goods, he shall so swear or affirm; and if there be no cargo on board, he shall produce the certificate of the collector or surveyor of the district from whence she last sailed, as aforesaid, that such is the case: Whereupon such collector or surveyor shall grant a permit for unloading the whole, or part of such cargo (if there be any) within his district, as the master may request; and where a part only of the goods, wares, and merchandise, of foreign growth or manufacture, or of distilled spirits brought in such vessel, is intended to be landed, the said collector or surveyor shall make an endorsement of such part, on the back of the manifest, specifying the articles to be landed; and shall return such manifest to the master, endorsing also thereon, his permission for such vessel, to proceed to the place of her destination; and if the master of such vessel shall neglect or refuse to deliver the manifest, (or if she has no cargo, the certificate) within the time herein directed, he shall forfeit one hundred dollars, and the goods, wares and merchandise of foreign growth or manufacture, or distilled spirits, found on board, or landed from such vessel, not being certified, as is herein required, shall be forfeited, and if the same shall amount to the value of eight hundred dollars, such vessel, with her tackle, apparel and furniture, shall be also forfeited.*

Nothing in this act contained shall be so construed, as to oblige the master of any ship or vessel, licenced for carrying on the coasting trade, bound from a district in one state to a district in the same, or an adjoining state on the sea-coast, or on a navigable river, having on board goods, wares or merchandise, of the growth, product or manufactures of the United States only (except distilled spirits) or distilled spirits, not more than five hundred gallons, wine in casks not more than two hundred and fifty gallons, or in bottles not more than one hundred dozens, sugar in casks or boxes not more than three thousand pounds, tea in chests or boxes not more than five hundred pounds, coffee in casks or bags not more than one thousand pounds, or foreign merchandise in packages as imported, of not more value than four hundred dollars, or goods, wares or merchandise, consisting of such enumerated or other articles of foreign growth or manufacture, or of both, whose aggregate value shall not be more than eight hundred dollars, to deliver a manifest thereof, or obtain a permit, previous to her departure, or on her arrival within such district, to make any report thereof; but such master shall be provided with a manifest, by him subscribed, of the lading, which was on board at the time of his departure from the district from which she last sailed, and if the same, or any part, consists of distilled spirits, or goods, wares or merchandise, of foreign growth or manufacture, with the marks and numbers of each cask, bag, box, chest or package, containing the same, with the name of the shipper and consignee of each; which manifest shall be by him exhibited, for the inspection of any officer of the revenue, when, by such officer, thereunto required; and shall also inform such officer, from whence such vessel last sailed, and how long she has been in port, when by him so interrogated. And if the master shall not be provided, on his arrival within any such district, with a manifest, and exhibit the same, as is herein required, if the lading consist wholly of goods, the produce or manufacture of the U. S. (distilled spirits excepted) he shall forfeit twenty dollars, or if there be distilled spirits or goods, wares, or merchandise, of foreign growth or manufacture, on

* Act of 18th February, 1793. sect. 17.

board, excepting what may be sufficient for sea-stores, he shall forfeit forty dollars; or if he shall refuse to answer the interrogatories truly, he shall forfeit the sum of one hundred dollars. And if any of the goods shall be of foreign growth or manufacture, or of spirits distilled within the United States, so much of the same, as may be found on board such vessel, and which shall not be included in the manifest, shall be forfeited.*

It shall be lawful for the collector of the district of Pennsylvania, to grant permits for the transportation of goods, wares or merchandise, of foreign growth or manufacture, across the state of New-Jersey, to the district of New-York, or across the state of Delaware, to any district in the state of Maryland or Virginia; and for the collector of the district of New-York, to grant like permits for the transportation across the state of New-Jersey; and for the collector of any district of Maryland or Virginia, to grant like permits for the transportation across the state of Delaware, to the district of Pennsylvania: *Provided*, That every such permit shall express the name of the owner, or person sending such goods, and of the person or persons, to whom such goods shall be consigned, with the marks, numbers and description of the packages, whether bale, box, chest, or otherwise, and the kind of goods contained therein, and the date, when granted; and the owner or person sending such goods, shall swear or affirm, that they were legally imported, and the duties thereupon paid or secured: *And provided also*, That the owner or consignee of all such goods, wares and merchandise, shall, within twenty-four hours after the arrival thereof, at the place to which they were permitted to be transported, report the same, to the collector of the district where they shall so arrive, and shall deliver up the permit accompanying the same, and if the owner or consignee aforesaid, shall neglect or refuse to make due entry of such goods within the time, and in the manner, herein directed, all such goods, wares and merchandise shall be subject to forfeiture; and if the permit granted shall not be given up, within the time limited for making the said report, the person or persons to whom it was granted, shall forfeit fifty dollars for every twenty-four hours it shall be withheld afterwards: *Provided*, That where the goods, wares and merchandise, to be transported in manner aforesaid, shall be of less value than eight hundred dollars, the said oath and permit shall not be deemed necessary, nor shall the owner or consignee be obliged to make report to the collector of the district where the said goods, wares and merchandise shall arrive.†

The master of every vessel employed in the transportation of goods from district to district, that shall put into a port, other than the one to which she was bound, shall, within twenty-four hours of his arrival, if there be an officer residing at such port, make report of his arrival, to such officer, with the name of the place he came from, and to which he is bound, with an account of his lading, under the penalty of twenty dollars.‡

If the master of any vessel, employed in the transportation of goods from district to district, having on board goods, wares, or merchandise of foreign growth or manufacture, or distilled spirits, shall on his arrival at the port to which he was destined, have lost or mislaid the certified manifest, or the permit which was given therefor, the collector of the district where he shall so arrive, shall take bond for payment of the duties on such goods, wares and merchandise of foreign growth or manufacture, or distilled spirits, within six months, in the same manner, as though they were imported from a foreign country: *Provided however*, such bond shall be cancelled, if the said master shall deliver, or cause to be delivered to the collector taking such bond, and within the term therein limited for payment, a certificate from the collector or surveyor of the district, from whence he sailed, that such goods were legally exported in such vessel, from such district.§

The master of every foreign vessel, bound from a district in the United States, to any other district within the same, shall, in all cases, previous to her departure from such district, deliver to the collector of such district, duplicate manifests of the lading on board such vessel, if there be any, or if there be none, he shall declare that such is the case, and to the truth of such manifests or declaration, he shall swear or affirm, and also obtain a permit, from the said collector, authorizing him to proceed to the place of his destination. And the master of every such vessel, on his arrival within any district, from any other district, shall, in all cases, within forty-eight hours after his arrival and previous to the unloading any goods from on board such vessel, deliver to the collector of the district where he may have arrived, a manifest of the goods laden on board such vessel, or if in ballast only, he shall so declare, and to the truth of which manifest or declaration, he shall swear or affirm; and also, that such manifest contains an account of all the goods, wares, and merchandise which were on board such vessel, at the time, or have been since her departure from the place, from whence she sailed; and he shall also deliver to such collector the permit which was given him from the collector of the district. And if the master shall neglect or refuse complying with any of the requirements herein made, he shall forfeit one hundred dollars: *Provided always*, That nothing herein con-

* Act of 18th February, 1793. sect. 18. † Ibid. sect. 19. ‡ Ibid. sect. 22.

§ Ibid. sect. 23.

tained shall be construed as affecting the payment of tonnage, or any other requirements which such ships or vessels are now subject to by the present existing laws of the United States.*

In every case, where the collector is, by this act, directed to grant any enrolment, license, certificate, permit, or other document, the naval officer residing at the port (if there be one) shall sign the same, and every surveyor who shall certify a manifest, or grant a permit, or who shall receive any certified manifest, or a permit as is provided for in this act, shall make monthly returns thereof, at least, to the collector of the district where such surveyor may reside.†

Before any vessel, of the burthen of five tons, and less than twenty tons, shall be licensed, the same admeasurement shall be made of such vessel, and the same provisions observed relative thereto, as are to be observed in case of admeasuring vessels to be registered or enrolled; but in all cases, where such vessel, or any other licensed vessel, shall have been once admeasured, it shall not be necessary to measure such ship or vessel anew, for the purpose of obtaining another enrolment or license, except such vessel shall have undergone some alteration as to her burthen, subsequent to the time of her former license.‡

That it shall be lawful for any officer of the revenue, to go on board of any vessel, whether she shall be within or without his district, and the same to inspect, search and examine, and if it shall appear, that any breach of the laws of the United States has been committed, whereby such vessel, or the goods, wares, and merchandize on board, or any part thereof, is, or are liable to forfeiture, to make seizure of the same.§

In every case, where a forfeiture of any vessel, or of any goods, wares, or merchandize, shall accrue, it shall be the duty of the collector, or other proper officer, who shall give notice of the seizure of such vessel, or of such goods, wares, or merchandize, to insert in the same advertisement, the name or names, and the place or places of residence, of the person or persons, to whom any such ship or vessel, goods, wares, and merchandize belonged, or were consigned, at the time of such seizure, if the same shall be known to him.||

That the fees and allowances, for the several services to be performed, pursuant to the act of December 31st, 1792,† and the distribution of the same, shall be as follows, to wit: For the admeasurement of every ship or vessel, of one hundred tons, and under, one cent per ton; for the admeasurement of every ship or vessel, above one hundred, and not exceeding two hundred tons, one hundred and fifty cents; for the admeasurement of every ship or vessel, above two hundred tons, two hundred cents; for every certificate of registry or record, two hundred cents; for every endorsement upon a certificate of registry or record, one hundred cents; and for taking every bond required by this act, twenty-five cents.*

The fees and allowances for the several duties and services, to be performed, in virtue of the act of 18th February, 1793,** shall be as follow; that is to say:

For admeasuring every ship or vessel, in order to the enrolment, or licensing and recording the same, if of the burthen of five tons, and less than twenty tons, fifty cents; if of twenty tons, and not exceeding seventy tons, seventy-five cents; if above seventy tons, and not exceeding one hundred tons, one hundred cents; if above one hundred tons, one hundred and fifty cents:

For every certificate of enrolment, fifty cents:

For every endorsement on a certificate of enrolment twenty cents:

For every license, and granting the same, including the bond, if not exceeding twenty tons, twenty-five cents; if above twenty, and not more than one hundred tons, fifty cents; and if more than one hundred tons, one hundred cents:

For every endorsement on a license, twenty cents:

For certifying manifests, and granting a permit for a licensed vessel to proceed from district to district, twenty-five cents, if less than fifty tons, and if above fifty tons, fifty cents:

For receiving a certified manifest, and granting a permit, on the arrival of such vessel, twenty-five cents, if less than fifty tons, and if above fifty tons, fifty cents:

For certifying manifests, and granting a permit for a registered vessel to proceed from district to district, one hundred and fifty cents:

For receiving a certified manifest, and granting a permit, on the arrival of such registered vessel, one hundred and fifty cents:

For granting a permit for a vessel, not belonging to a citizen or citizens of the United States, to proceed from district to district, and receiving the manifest, two hundred cents:

For receiving a manifest, and granting a permit, to unload, for such last mentioned vessel, on her arrival in one district from another district, two hundred cents:

* Act of 28th February, 1793. sec. 24. † Ibid. sec. 25. ‡ Ibid. sec. 26. § Ibid. sec. 27.
|| Ibid. sec. 28. ¶ Ibid. sec. 25. ** Ibid. sec. 34.

For granting a permit for a vessel carrying on the fishery, to trade at a foreign port, twenty-five cents, and for the report and entry of any foreign goods imported in such vessel, twenty-five cents.

And where a surveyor shall certify a manifest, or grant a permit, or receive a certified manifest and grant a permit, the fees arising therefrom shall be received by him solely for his use. And all other fees arising, by virtue of these acts shall be received, and accounted for, by the collector, or, at his option, by the naval officer, where there is one, and where there is a collector, naval officer, and surveyor, shall be equally divided, monthly, between the said officers; and where there is no naval officer, two thirds to the collector, and the other third to the surveyor; and where there is only a collector, he shall receive the whole amount thereof; and where there is more than one surveyor in any district, each of them shall receive his proportionable part of such fees, as shall arise in the port, for which he is appointed: *Provided always*, That in all cases, where the tonnage of any ship or vessel, shall be ascertained, by any person appointed for that purpose, such person shall be paid a reasonable compensation therefor, out of the fees aforesaid, before any distribution thereof, as aforesaid; and every collector and naval officer, and every surveyor, who shall reside at a port where there is no collector, shall cause to be affixed, and constantly kept, in some conspicuous place of his office, a fair table of the rates of fees, demandable by these acts.*

All penalties and forfeitures, which shall be incurred by virtue and force of these acts, shall and may be sued for, prosecuted and recovered, in like manner, as penalties and forfeitures, incurred by virtue of the act, entitled "An act to regulate the collection of the duties imposed by law on goods, wares, and merchandize imported into the United States, and on the tonnage of ships or vessels," may be sued for, prosecuted and recovered, and shall be appropriated in like manner: *Provided always*, That if any officer, entitled to a part or share of any such penalty or forfeiture, shall be necessary as a witness on the trial for such penalty or forfeiture, such officer may be a witness upon the said trial; but in such case, he shall not receive, or be entitled to any part or share of the said penalty or forfeiture, and the part or share to which he would otherwise have been entitled, shall accrue to the United States. This act does not extend to any boat or lighter, not being masted, or if masted, and not decked, employed in the harbour of any town or city.†

For the more convenient regulation of the coasting trade, the seacoast and navigable rivers of the United States shall be divided into two great districts; the first, to include all the districts on the seacoast and navigable rivers, between the eastern limits of the United States and the southern limits of Georgia; and the second, to include all the districts on the seacoast and navigable rivers, between the river Perdido and the western limits of the United States.

Every ship or vessel, of the burden of twenty tons or upwards, licenced to trade between the different districts of the United States, shall be, and is hereby, authorized to carry on such trade between the districts included within the aforesaid great districts, respectively, and between a state in one, and an adjoining state in another, great district, in manner, and subject only to the regulations that are, now by law required to be observed by such ships or vessels, in trading from one district to another in the same state, or from a district in one state to a district in the next adjoining state, any thing in any law to the contrary notwithstanding.

Every ship or vessel, of the burden of twenty tons or upwards, licenced to trade as aforesaid, shall be, and is hereby, required, in trading from one to another great district, other than between a state in one, and in adjoining state in another, great district, to conform to and observe the regulations, that, at the time of passing this act, are required to be observed by such vessels in trading from a district in one state to a district in any other than an adjoining state.

The trade between the districts not included in either of the two great districts aforesaid, shall continue to be carried on in the manner, and subject to the regulations, already provided for this purpose.

Every ship and vessel going to a foreign country, are to be furnished with a passport of the form prescribed by the Secretary of State. The master to pay the collector ten dollars for the passport. In order to be entitled to passports the masters of vessels become bound in the sum of \$2000 not to misuse the same. In case of the loss or sale of the vessel the passport must be delivered up, &c. to the collector, from whom it was received; within three months, if the loss happened within the United States; within six months, if at any place nearer than the Cape of Good Hope; and within 18 months, if at a more distant place. This provision is extended by a subsequent act, passed 2d March, 1803, to unregistered vessels owned by citizens of the United States.

Vessels of the United States, sailing to any foreign country, other than some port or place in America, shall pay, for each voyage, the sum of four dollars.

* Act of 29th February, 1793. sec. 34. † Ibid. sec. 35.

Vessels of the United States, departing therefrom, bound to any foreign country, other than some port or place in America, without the passport, the master is to forfeit two hundred dollars.

The second section of the act to retain a further sum on drawbacks, &c. does not operate upon unregistered vessels owned by citizens at the time of passing the act, in those cases where such ship or vessel, at that time, possessed a sealetter, or other regular document.

Upon satisfactory proof to the secretary of the treasury, that any unregistered vessel was the property of a citizen on the 13th May, 1800, he is to issue a certificate, &c.

Unregistered vessels, sailing to a foreign country, other than America, to pay, for each voyage, the same sum as required in the case of vessels of the United States by act of 1st June, 1796.

Persons making, uttering, or using, false sealetters, Mediterranean passports, or certificates of registry, &c. forfeit not exceeding five thousand dollars; and if an officer, he becomes incapable of holding an office.

The power vested in the secretary of the treasury to remove disabilities incurred under the act of 31st December, 1792, and that of the 18th of February, 1793, shall extend to the remission of any foreign duties which shall have been or shall be incurred by reason of such disabilities.

No sealetter, &c. proving any vessel to be the property of a citizen, can be issued, except to vessels registered, as vessels of the United States, or to vessels wholly owned by citizens.

A duty of fifty cents per ton, to be denominated "light money," is directed to be levied and collected on all ships or vessels not of the United States, which, after the 30th day of June, 1804, may enter the ports of the United States.

By an act of 3d March, 1805, it is provided that the above mentioned section shall not be deemed to operate on unregistered vessels, owned by citizens, in those cases where the vessels are in possession of a sealetter, &c. provided, upon the entry of such vessels from a foreign port, if at the place where the owner resides, &c. oath is made that the sealetter, &c. contains the names of all the owners, &c. and that no foreign subject hath any share, &c. And if the owner does not reside at the port of entry, the master is to make oath. If the owner or master refuses to swear, the vessel is not entitled to the privilege granted by this latter act.

By the law imposing tonnage duties on vessels, a distinction is made in favour of American vessels, except with regard to the vessels of those nations which place vessels of the United States on the same footing as their own ships.

Similar privileges are granted by other laws of the United States, which will be found under their proper heads.

Where a ship was purchased by an American citizen in trust for an alien, it was held to be a fraud upon the registry acts, and that the ship could not enjoy the privileges of American ships.—4 *Dall*, 314.

American citizens may employ foreign vessels in neutral trade, but they will be liable to the alien duties.

Ships so owned, are entitled to receive from the custom house a document for their protection, called a certificate of ownership, and are entitled to certain privileges by the express enactments of the legislature.* This certificate of ownership is sometimes called a *sea letter*, but that term seems most correctly applied to the *sea letter*, prescribed by our treaties with foreign powers, *eo nomine*, although in our act of 1st June, 1796. ch. 45. it is denominated a *passport*. And a question has arisen upon a policy of insurance, where a ship sailed with a *certificate of ownership*, and the policy contained a warranty that the ship sailed with a *sea letter*, whether such certificate was a compliance with the warranty. The Supreme Court of New-York held that it was not, because a *sea letter* was a document known and prescribed by treaties with the United States, and no parole evidence could be admitted to show that in common parlance, it was understood to be a certificate of ownership. This decision however was reversed by the Court of Errors.—*Sleght, &c. v. Hartshorne and Rhinelander, &c.* 1 John. Rep. 192. 2 John Rep. 531.

* See Act, 14. April, 1802. ch. 26. and Act, 2d March, 1803. ch. 69.

DOCUMENTS NECESSARY FOR AMERICAN VESSELS.

The Passport. This is a permission for the vessel to proceed on the voyage proposed, and contains the name and description of the vessel, number of crew and guns mounted. This document is only necessary for vessels going to Europe.

The Sea Letter, specifies the nature and quantity of the cargo and place of destination. This document is only necessary for vessels bound to the Southern hemisphere. It is in the French, Spanish, English, and Dutch languages, and is as follows, viz.

JAMES MONROE, President of the United States of America, to all who see these presents, greeting :

Be it known, that leave and permission are hereby given to _____ master or commander of the _____ called _____ of the burthen of _____ tons or thereabouts, lying at present in the port of _____ bound for _____ and laden with _____

to depart and proceed with his said _____ on his said voyage, such having been visited, and the said _____ having made oath before the proper officer, that the said _____ belongs to one or more of the citizens of the United States of America, and to him or them only.

In witness whereof, I have subscribed my name to these presents, and affixed the Seal of the United States of America thereto, and caused the same to be countersigned by _____ at _____ the _____ day of _____ in the year _____ our Lord Christ,

By the President,

Most Serene, Serene, most Puissant, Puissant, High, Illustrious, Noble, Honourable, Venerable, Wise and Prudent, Lords, Emperors, Kings, Republics, Princes, Dukes, Earls, Barons, Lords, Burgomasters, Schepens, Counsellors, as also Judges, Officers, Justices, and Regents of all the good cities and places, whether Ecclesiastical or Secular, who shall see these patents, or hear them read. We _____ make known, that the master of _____ appearing before us, has declared upon oath, that the vessel, called the _____ of the burthen of about _____ tons, which he at present navigates, is of the United States of America, and that no subjects of the present belligerent powers have any part or portion therein, directly nor indirectly, so may God Almighty help him. And as we wish to see the said master prosper in his lawful affairs, our prayer is, to all the before mentioned, and to each of them separately, where the said master shall arrive, with his vessel and cargo, that they may please to receive the said master with goodness, and to treat him in a becoming manner, permitting him, upon the usual tolls and expenses, in passing and repassing, to pass, navigate, and frequent the ports, passes and territories, to the end to transact his business, where and in what manner he shall judge proper : Whereof we shall be willingly indebted,

In witness and for cause whereof, we affix hereto the Seal of _____

The Register, or Proof of Property, which shows the names and residence of the owners, where the vessel was built, and when, and a particular description of the vessel. This must be returned to the custom-house upon the return of the vessel.

The List of Crew, contains the names, ages, quality, place of residence, place of birth of every person of the ship's company, &c. This must be returned with the reporting officer's certificate of the number of men still on board.

The general Clearance, contains the name of the captain, vessel's name, number of men on board, number of guns, and description of cargo, with permission to proceed to port of destination.

Bill of Health, certifies that no contagious distemper prevails at the port of clearance.

ON ENTERING.

List of Passengers—showing names, occupations, sex, age, and whether citizens of the United States—sworn to by the captain—for the custom-house, and one for Mayor's office.

DOCUMENTS NECESSARY FOR NEUTRAL SHIPS.

A vessel may forfeit her neutrality by sailing without proper documents, or in acting in contravention to particular treaties, made with either of the belligerent nations.

The documents and papers usually required to substantiate the neutrality of the property, are the following :

1. *The Passport.* This is a permission from the neutral state to the captain or master of the ship, to proceed on the voyage proposed, and usually contains his name and residence, the name, description, and destination of the ship, with such other matters as the practice of the place requires. *Hubner* says that this is the only paper that is rigorously insisted upon by the *Barbary* corsairs, by the production of which alone, their friends are protected from insult.

2. *The sea letter, or sea brief,* which specifies the nature and quantity of the cargo, the place from whence it comes, and its destination. This paper is not so necessary as the passport, because that, in most particulars, supplies its place.

The proofs of property, which ought to show, that the ship really belongs to the subjects of a neutral state. If she appear to either belligerent to have been built in the enemy's country, proof is generally required, that she was purchased by the neutral before, or captured and legally condemned since the declaration of war; and in the latter case, the *bill of sale*, properly authenticated, ought to be produced. Even *Hubner* admits that these proofs are so essential to every neutral vessel, for the prevention of frauds, that those which sail without them will have no reason to complain if they are interrupted in their voyages, and their neutrality even disputed.

4. *The Muster Roll,* which the *French* call *Rôle d'Equipage*, contains the names, ages, quality, place of residence, and above all, the place of birth, of every person of the ship's company. This document is of great use in ascertaining a ship's neutrality. It must naturally excite a violent suspicion, if the majority of the crew be found to consist of foreigners, still more, if natives of the enemy's country.

5. *The Charter-party,* when one is given. This instrument serves to authenticate many of the facts, on which the proofs of the ship's neutrality must rest.

6. *The Bill of Lading,* by which the captain acknowledges the receipt of the goods specified therein, and promises to deliver them to the consignee, or his order. Of this there are usually several duplicates; of which, one is delivered to the captain, one kept by the shipper of the goods, and one transmitted to the consignee. This instrument, being only the evidence of a private transaction between the owner of the goods and the captain, does not carry with it the same degree of authenticity, as the charter-party.

7. *The Invoices,* which contain the particulars and prices of each parcel of goods, with the amount of the freight, duties and other charges thereon, which are usually transmitted from the shippers to their factors or consignees. These invoices prove by whom the goods were shipped, and to whom consigned. They carry with them, however, but little authenticity, being easily fabricated where fraud is intended.

8. *The Log-Book,* or ship's journal, which contains an accurate account of the ship's course, with a short history of every occurrence during the voyage. If this be faithfully kept, it will throw great light on the question of neutrality. If it be in any respect fabricated, this may in general be easily detected.

9. *The Bill of Health,* which is a certificate properly authenticated, that the ship comes from a place where no contagious distemper prevails, and that none of the crew, at the time of her departure, were infected with any such distemper.

CHAPTER XIX.

NAVIGATION LAWS.

The nations of Europe have always been desirous of monopolizing the commerce of their different colonies. In order to effect that object, and also to secure to their merchants a disproportionate share of the carrying trade with other countries, navigation laws have been adopted by some of them, and England in particular, has been noted for the exclusive character of her navigation system. For the purpose of meeting these restrictive measures, and to protect our own mercantile interest, various laws have been adopted by our government since the general pacification of Europe.

By an Act concerning the Navigation of the United States, passed March 1, 1817.

It is enacted, That, after the thirtieth day of September next, no goods, wares, or merchandise, shall be imported into the United States, from any foreign place, except in vessels of the United States, or in such foreign vessels as truly and wholly belong to the citizens or subjects of that country of which the goods are the growth, production, or manufacture; or from which such merchandise can only be, or most usually are, first shipped for transportation: *Provided, nevertheless*, That this regulation shall not extend to the vessels of any foreign nation which has not adopted, or which shall not adopt, a similar regulation.

All goods, wares, or merchandise, imported into the United States contrary to the true intent and meaning of this act, and the vessel wherein the same shall be imported, together with her cargo, tackle, apparel, and furniture, shall be forfeited to the United States: and such goods, wares, or merchandise, ship or vessel, and cargo, shall be liable to be seized, prosecuted, and condemned, in like manner, and under the same regulations, restrictions, and provisions, as have been heretofore established for the recovery, collection, distribution, and remission of forfeitures to the United States by the several revenue laws.

No goods, wares, or merchandise, shall be imported under penalty of forfeiture thereof, from one port of the United States to another port of the United States, in a vessel belonging wholly or in part to a subject of any foreign power: but this clause shall not be construed to prohibit the sailing of any foreign vessel from one to another port of the United States, provided no goods, wares, or merchandise, other than those imported in such vessel from some foreign port, and which shall not have been unladen, shall be carried from one port or place to another in the United States.

To prevent the monopoly of the carrying trade between the West Indies and the United States by Great Britain, it was declared by an Act passed April 13, 1818; that

Sec. 1. From and after the thirtieth of September next, the ports of the United States shall be and remain closed against every vessel owned wholly or in part by a subject or subjects of his Britannic majesty, coming or arriving from any port or place in a colony or territory of his Britannic majesty that is or shall be, by the ordinary laws of navigation and trade, closed against vessels owned by citizens of the United States; and such vessel, that, in the course of the voyage, shall have touched at, or cleared out from, any port or place in a colony or territory of Great Britain, which shall or may be, by the ordinary laws of navigation and trade aforesaid, open to vessels owned by citizens of the United States, shall, nevertheless, be deemed to have come from the port or place in the colony or territory of Great Britain, closed as aforesaid, against vessels owned by citizens of the United States, from which such vessel cleared out and sailed before touching at, and clearing out from, an intermediate and open port or place as aforesaid; and every such vessel, so excluded from the ports of the United States, that shall enter, or attempt to enter, the same, in violation of this act, shall, with her tackle, apparel, and furniture, together with the cargo on board such vessel, be forfeited to the United States.*

Sec. 2. From and after the aforesaid thirtieth of September next, the owner, consignee, or agent, of every vessel, owned wholly or in part by a subject or subjects of his Britannic majesty, which shall have been duly entered in any port of the United States, and on board of which shall have been there laden for exportation any article or articles, of the growth, produce, or manufacture, of the United States, other than provisions and sea stores necessary for the voyage, shall, before such vessel shall have been cleared outward at the customhouse, give bond, in a sum double the value of such articles, with one or more sureties, to the satisfaction of the collector, that the article or articles so laden on board such vessel for exportation, shall be landed in some port or place other than a port or place in a colony or territory of his Britannic majesty, which, by the ordinary laws of navigation and trade, is closed against vessels owned by citizens of the United States; and any such vessel that shall sail, or attempt to sail, from any port of the United States, without having complied with the provision aforesaid, by giving bond as aforesaid, shall, with her tackle, apparel, and furniture, together with the article or articles aforesaid, laden on board the same as aforesaid, be forfeited to the United States: *Provided always*, That nothing in this act contained shall be so deemed or construed, so as to violate any provision of the convention to regulate commerce between the territories of the United States and of his Britannic majesty, signed the third day of July, one thousand eight hundred and fifteen†

Sec. 3. The form of the bond aforesaid shall be prescribed by the Secretary of the Department of the Treasury; and the same shall and may be discharged, and not otherwise, by producing, within one year after the date thereof, a like certificate to that re-

* Act of April 13, 1818, sec. 1. † Ibid. sec. 2.

quired by and under the regulations contained in the eighty-first section of the act to regulate the collection of duties on imports," passed the second day of March, seventeen hundred and ninety-nine, that the articles of the growth, produce, and manufacture, of the United States, laden as aforesaid, were unladen and landed conformably to the provisions of this act, or, in cases of loss by sea, by capture, or other unavoidable accident, by the production of such other proofs as the nature of the case will admit, according to the provisions of the said eighty-first section of the act aforesaid.*

Sec. 4. All penalties and forfeitures incurred by force of this act, shall be sued for, recovered, distributed, and accounted for, and may be mitigated or remitted, in the manner and according to the provisions of the revenue laws of the United States.†

By a subsequent Act, passed May 15, 1820, it was further declared, that,

From and after the thirtieth day of September next, the ports of the United States shall be and remain closed against every vessel, owned wholly, or in part, by a subject or subjects of his Britannic Majesty, coming, or arriving by sea, from any port or place in the province of Lower Canada, or coming or arriving from any port or place in the province of New-Brunswick, the province of Nova-Scotia, the islands of Newfoundland, St. Johns, or Cape Breton, or the dependencies of any of them, the islands of Bermuda, the Bahama islands, the islands called Caicos, or the dependencies of any of them, or from any other port or place in any island, colony, territory, or possession, under the dominion of Great Britain in the West Indies, or on the continent of America, south of the southern boundary of the United States, and not included within the act to which this act is supplementary. And every such vessel, so excluded from the ports of the United States, that shall enter, or attempt to enter, the same, in violation of this act, shall, with her tackle, apparel, and furniture, together with the cargo on board such vessel, be forfeited to the United States.‡

2. From and after the thirtieth day of September next, the owner, consignee, or agent of every vessel, owned wholly, or in part, by a subject or subjects of his Britannic Majesty, which shall have been duly entered in any port of the United States, and on board of which shall have been the growth, produce, or manufacture, of the United States, other than provisions and sea-stores, necessary for the voyage, shall, before such vessel shall have been cleared outward at the custom-house, give bond, in a sum double the value of such article or articles, with one or more sureties, to the satisfaction of the collector, that the article or articles so laden on board such vessel, for exportation, shall be landed in some port or place other than a port or place in any province, island, colony, territory, or possession, belonging to his Britannic Majesty, that is mentioned or described in this act, or in the act to which this act is supplementary. And every such vessel that shall sail, or attempt to sail, from any port of the United States, without having complied with the provisions aforesaid, by giving bond as aforesaid, shall, with her tackle, apparel, and furniture, together with the article or articles aforesaid, laden on board the same as aforesaid, be forfeited to the United States: *Provided*, That nothing herein contained shall be deemed or construed so as to violate any provision of the Convention to regulate Commerce between the territories of the United States and of his Britannic Majesty, signed the third day of July, one thousand eight hundred and fifteen.§

From and after the thirtieth day of September next, no goods, wares, or merchandise, shall be imported into the United States of America from the province of Nova Scotia, the province of New-Brunswick, the islands of Cape Breton, St. Johns, Newfoundland, or their respective dependencies, from the Bermuda islands, the Bahama islands, the islands called Caicos, or either or any of the aforesaid possessions, islands, or places, or from any other province, possession, plantation, island, or place, under the dominion of Great Britain in the West Indies, or on the continent of America, south of the southern boundaries of the United States, except only such goods, wares, and merchandise, as are truly and wholly of the growth, produce, or manufacture, of the province, colony, plantation, island, possession, or place, aforesaid, where the same shall be laden, and from whence such goods, wares, or merchandise, shall be directly imported into the United States; and all goods, wares, and merchandise, imported, or attempted to be imported, into the United States of America, contrary to the provisions of this act, together with the vessel on board of which the same shall be laden, her tackle, apparel, and furniture, shall be forfeited to the United States.||

The form of the bond aforesaid shall be prescribed, and the same shall be discharged, and all penalties and forfeitures, incurred under this act, shall be sued for, recovered, distributed, and accounted for, and the same may be mitigated, or remitted, in the manner, and according to the provisions, of the act to which this act is supplementary.¶

* Act of April 18, 1818. sec. 3. † Ibid. sec. 4.

‡ Act of May 15, 1820. sec. 1. § Ibid. sec. 2. || Ibid. sec. 3. ¶ Ibid. sec. 4.

Heavier tonnage duties are also imposed on all foreign vessels, excepting those belonging to nations whose vessels are entitled by treaty to the privileges of American vessels. The provisions on that subject are as follows, viz.

All duties, imposts, &c. shall be uniform throughout the United States.

Vessels bound to or from one state, are not obliged to pay duties in another.

* Upon all ships or vessels which, after the first day of September next, shall be entered in the United States, from any foreign port or place, there shall be paid the several and respective duties following, that is to say : on ships or vessels of the United States at the rate of six cents per ton : on ships or vessels built within the United States, after the twentieth day of July last, but belonging wholly or in part to subjects of foreign powers, at the rate of thirty cents per ton : on other ships or vessels, at the rate of fifty cents per ton.

The aforesaid duty of six cents per ton, shall be also paid upon every ship or vessel of the United States, which, after the said first day of September next, shall be entered in a district in one state from a district in another state, other than an adjoining state, on the sea coast or on a navigable river, having on board goods, wares, and merchandise, taken in one state, to be delivered in another state : but it shall not be paid on any ship or vessel, having a license to trade between the different districts of the United States, or to carry on the bank or whale fisheries, whilst employed therein, more than once a year.

Upon every ship or vessel, not of the United States, which, after the said first day of September next, shall be entered in one district from another district, having on board goods, wares, and merchandise, taken in, in one district, to be delivered in another district, there shall be paid at the rate of fifty cents per ton.

† The tonnage duties to be paid by ships or vessels which shall be entered in the United States, excepting only such foreign ships or vessels as shall be entered from any foreign port or place, to or with which vessels of the United States are not ordinarily permitted to go and trade, shall be the same as are provided by the act, entitled "An act imposing duties on the tonnage of ships or vessels," passed on the twentieth day of July, in the year of our Lord one thousand seven hundred and ninety : *Provided always*, That nothing in this act contained shall be deemed in any wise to impair any rights and privileges which have been or may be acquired by any foreign nation under the laws and treaties of the United States, relative to the duty on tonnage.

‡ So much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares, and merchandise, imported into the United States, as imposes a discriminating duty of tonnage, between foreign vessels and vessels of the United States, and between goods imported into the United States in foreign vessels and vessels of the United States, be, and the same are hereby, repealed, so far as the same respects the produce or manufacture of the nation to which such foreign ships or vessels may belong. Such repeal to take effect in favour of any foreign nation, whenever the president of the United States shall be satisfied that the discriminating or countervailing duties of such foreign nation, so far as they operate to the disadvantage of the United States, have been abolished.

[*Note.* By the second article of the convention made at London, on the 3d of July, 1815, the duties of impost and tonnage were equalized between the United States and Great Britain ; in consequence of which an act was passed on the 1st of March, 1816, declaring that so much of any act as imposes a higher duty of tonnage, or of impost, on vessels, and articles imported in vessels of Great Britain, than on vessels, and articles imported in vessels, of the United States, contrary to the provisions of that convention, should, from and after the date of the ratification, and during the continuance thereof, be deemed and taken to be of no force or effect. By "An act to regulate the duties on imposts and tonnage," 27th of April, 1816, it is declared that the duty on the tonnage of vessels shall continue the same as the existing law provides : but this provision is not to be deemed in any wise to impair any rights and privileges which have been, or may be, acquired by any foreign nation, under the laws and treaties of the United States, relative to the duty of tonnage on vessels. By this latter act it is provided, that, from and after the thirtieth day of June, one thousand eight hundred and sixteen, the duties theretofore laid by law on goods, wares, and merchandise, imported into the United States, should cease and determine, and that there should be levied, and collected, and paid, the several duties in that act mentioned.]

On all foreign ships or vessels which shall be entered in the United States, after the thirtieth day of June next, from any foreign port or place, to and with which vessels of the United States are not (ordinarily) permitted to enter and trade, there shall be paid a duty at the rate of two dollars per ton, to be levied and collected in the same manner, and under the same regulations, as are prescribed by law in relation to the duties upon tonnage now in force.‡

* Act of July 20th, 1790. † Act of January 14, 1817. ‡ Act of 3d March, 1815.

‡ Act of 3d March, 1817.

By a subsequent act of April 20th, 1818, it is declared, that,

So much of the several acts imposing duties on the tonnage of vessels in the ports of the United States, as imposes a discriminating duty between foreign vessels and vessels of the United States, is hereby repealed, so far as respects vessels truly and wholly belonging to the subjects of the king of the Netherlands; such repeal to take effect from the time the government aforesaid abolished the discriminating duties between her own vessels and the vessels of the United States arriving in the ports or places aforesaid.

That so much of the several acts imposing duties on goods, wares, and merchandise, imported into the United States, as imposes a discriminating duty between goods imported into the United States in foreign vessels and in vessels of the United States, be, and the same is hereby, repealed, so far as the same respects the produce or manufactures of the territories in Europe of the king of the Netherlands, or such produce and manufactures as can only be, or most usually are, first shipped from a port or place in the kingdom aforesaid, the same being imported in vessels truly and wholly belonging to subjects of the king of the Netherlands; such repeal to take effect from the time the government aforesaid abolished its discriminating duties between goods, wares, and merchandise, imported in vessels of the United States and vessels belonging to the nation aforesaid.

By an act passed March 3, 1819, this last act is extended, in all its provisions and limitations, to the vessels of Prussia, of the city of Hamburg, and of the city of Bremen.

The act passed on the third of March, eighteen hundred and fifteen, entitled "An act to repeal so much of the several acts imposing duties on the tonnage on [of] ships and vessels, [and on goods, wares, and merchandise, imported into the United States, as imposes a discriminating duty on tonnage between foreign vessels] and vessels of the United States, and between goods imported into the United States in foreign vessels and vessels of the United States," and also the act of April 20th, 1818, together with this act, shall cease and expire on the first day of January, eighteen hundred and twenty-four.

There shall be paid a duty of fifty cents per ton, upon every vessel of the United States, which shall be entered in a district in one state, from a district in another state, except it be an adjoining state on the sea-coast, or on a navigable river or lake, and except also it be a coasting vessel going from Long-Island, in the state of New-York, to the state of Rhode-Island, or from the state of Rhode-Island to the said Long-Island, having on board any merchandise, taken in one state to be delivered in another state: *Provided*, That it shall not be paid on any vessel having a license to trade between the different districts of the United States, or to carry on the bank or whale fisheries, more than once a year: *And provided also*, That if the owner of any such vessel, or his agent, shall prove to the satisfaction of the collector, that *three-fourths* at least of the crew thereof are American citizens, or persons not the subjects of any foreign prince or state, the duty to be paid in such case shall be only at the rate of six cents per ton: but nothing in this section shall be construed to repeal or effect any exemption from tonnage duty, given by the eighth section of the act, entitled "An act to provide for the establishment of certain districts," and therein to amend an act, entitled, "An act to regulate the collection of duties on imposts and tonnage, and for other purposes."^{*}

There shall be paid upon every vessel of the United States, which shall be entered in the United States from any foreign port or place, unless the officers, and at least *two-thirds* of the crew thereof, shall be proved citizens of the United States, or persons not the subjects of any foreign prince or state, to the satisfaction of the collector, fifty cents per ton: *And provided also*, That this section shall not extend to vessels of the United States which are now on foreign voyages.[†]

The several bounties and remissions, or abatements of duty, allowed by this act, in the case of vessels having a certain proportion of seamen who are American citizens, or persons not the subjects of any foreign power, shall be allowed in the case of vessels having such proportion of American seamen during their whole voyage, unless in case of sickness, death, or desertion, or where the whole or part of the crew shall have been taken prisoners in the voyage.[‡]

The French government having imposed duties of foreign vessels, by which American vessels were driven from the trade between the United States and France, the following retaliatory measure was adopted, May 15, 1820:

That in lieu of the tonnage duty now paid on French ships or vessels, there shall be paid a duty of eighteen dollars per ton, on all French ships or vessels which shall be entered in the United States, any act to the contrary notwithstanding: *Provided, however*, That nothing contained in this act, shall be so construed as to prevent the extension of the provisions of the act, entitled "An act to repeal so much of the several acts imposing

^{*} Act of 1st March, 1817. sect. 5. [†] Ibid. sect. 6. [‡] Ibid. sect. 7.

duties on the tonnage of ships and vessels, and on goods, wares, and merchandise, imported into the United States, as imposes a discriminating duty on tonnage between foreign vessels and vessels of the United States, and between the goods imported into the United States in foreign vessels, and vessels of the United States," to French ships and vessels, and the goods imported therein, whenever the government of France shall accede to the provisions of the act above referred to.

That the tonnage duty laid, and directed to be paid, by this act, shall be collected and paid according to the provisions of the act, entitled "An act to regulate the collection of duties on imports and tonnage," passed the second day of March, one thousand seven hundred and ninety-nine.

That this act shall commence, and be in force, from and after the first day of July, one thousand eight hundred and twenty.

The legislature of Nova Scotia having passed an act for the purpose of prohibiting the landing of plaster of Paris at certain ports within the United States; by an act of Congress passed March 3, 1817, it was declared,

That from and after the fourth day of July next, no plaster of Paris, the production of any country, or its dependencies, from which the vessels of the United States are not permitted to bring the same article, shall be imported into the United States in any foreign vessel. And all Plaster of Paris imported, or attempted to be imported into the United States contrary to the true intent and meaning of this act, and the vessel in which the same may be imported, or attempted to be imported, together with the cargo, tackle, apparel, and furniture, shall be forfeited to the United States; and such plaster of Paris, vessel and cargo, shall be liable to be seized, prosecuted, and condemned, in like manner, and under the same regulations, restrictions, and provisions, as have been heretofore established for the recovery, collection, distribution, and remission, of forfeitures to the United States by the several revenue laws.

That this act shall continue and be in force five years from the thirty-first day of January, one thousand eight hundred and seventeen: *Provided, nevertheless*, That if any foreign nation, or its dependencies, which have now in force regulations on the subject of the trade in plaster of Paris, prohibiting the exportation thereof to certain ports of the United States, shall discontinue such regulations, the president of the United States is hereby authorized to declare that fact by his proclamation, and the restrictions imposed by this act shall, from the date of such proclamation, cease and be discontinued in relation to the nation, or its dependencies, discontinuing such regulations.

Upon this act being passed, the legislature of Nova Scotia repealed the act referred to, and the president of the United States, by his proclamation, published April 23, 1818, exempted the province from its operation.

CHAPTER XX.

OF PILOTS AND PILOTAGE.

The Pilot's duty.—The business of a pilot is to conduct any ship or vessel into a road or harbour, over bars or sands, or through intricate and dangerous channels, being occasionally called in to the master's assistance when sailing as above, or by unknown shores, and diffident of his own skill and judgment; though in many parts, where the approach or entrance to harbours, &c., is hazardous and difficult, and taking a pilot is not a voluntary act, but obligatory on the master; otherwise, in case of a loss, he must make it good. The pilot is responsible for any accidents which may happen through his ignorance or negligence. After a pilot is taken on board, the master has no longer any command of the ship till she is safe in harbour; but then the master resumes the government of the same, and is to see her bed and lying, the pilot being no longer liable, though for his own convenience he may still be on board. While the pilot is on board and acting as pilot, he has the exclusive direction of the ship, and is considered as master, *pro hac vice*, and the master is not liable for any damage committed by the ship through the negligence or unskilfulness of the pilot.—1 *Johns. Rep.* 305. If the owner be on board in such case, an action will lie against him.—5 *Pross. & Full.* 446. The same rule holds good, if a pilot goes on board only to conduct a ship through some dangerous place: af-

Ver passing it, the master must resume the command, and the pilot is no longer responsible. If the pilot continue on board for the remainder of the voyage, he is only to be considered as a common passenger, after he has conducted the ship through the hazardous passage, for which purpose he came on board; neither can he charge any wages, salary, or fee, though he should keep the helm during the whole voyage, except for the duty done in passing the passage.

Masters must take pilots when in danger.—If a master of a ship finds himself, in tempestuous weather, in any reputed dangerous place, usually denominated *pilot's water*, and a pilot offers to come on board, which offer he refuses to accept, the master in such cases is liable to his owners, freighters, or insurers, for the damage or loss of ship and cargo, if either happen in his attempting a passage without a pilot.

All pilots in the United States are to be regulated in conformity with the laws of their respective states, until congress shall think proper to make further legislative provision on that subject.

As far as the laws of the several states could be obtained, they are inserted as follows:

NEW-HAMPSHIRE.

An act for regulating Pilotage in the port of Piscataqua.

Whereas frequent and heavy losses have been sustained, and navigation greatly injured, for the want of a well regulated pilotage in the harbour aforesaid:

Be it enacted by the senate and house of representatives, in general court convened, That the governor, with advice of council, be, and hereby is authorised and empowered to appoint one or more suitable person or persons as a pilot or pilots for the harbour aforesaid, and give to each pilot thus appointed a branch or warrant for the due execution of his office, with power of substitution in certain cases to be therein prescribed, and such deputies as the said branch pilot shall depute, shall be by the respective pilots, reported to the governor for his approbation, any thing in the former act to the contrary notwithstanding.*

Sect. 2. The pilot and his deputies, shall, before his entering upon the business of his office, take the following oath or affirmation before some justice of the peace:

You A. B. do swear, (or affirm as the case may be) that you will, from time to time, truly and faithfully perform the duties of a pilot, for the harbour of Piscataqua, according to your best skill and judgment, agreeably to the law of this state. *So help you GOD.*

And the said branch pilot, and his deputies, shall enter into bonds, with sufficient sureties, to the treasurer of this state, in the sum of one thousand pounds each, for the due performance of the trust reposed in them. And the branch pilot, being commissioned and qualified as aforesaid, is hereby empowered and directed, by himself or his deputy, to take charge of any vessel or vessels, drawing nine feet of water or upwards (coasting and fishing vessels excepted) bound into, or out of the port aforesaid; and shall pilot such vessel or vessels into and out of the port aforesaid, first showing to the master or masters thereof, his branch, or warrant, and acquainting him or them of his fees.

3. The cruising ground of the pilot, or his deputy, for the port aforesaid, be, and hereby is limited in manner following, viz. beginning from the ragged neck, so called in Rye, to southwest of the harbour aforesaid; from thence, easterly to the middle ground, between the islands of the shoals, and the harbour's mouth; and as far as the easternmost of the Sisters, so called: and the branch pilot, and each of his deputies, shall always keep a suitable boat, in good repair.

4. The president, with advice of council, is empowered to determine and fix the fees of pilotage, according as the circumstances of peace or war may require, and to specify the same in his warrant; and also to transmit the same to the naval officer for the port aforementioned, and to be by him hung up in his office, for public inspection. *Provided,*

5. That any master or owner of a vessel, who chooses to hazard the pilotage of his own vessel out of the harbour aforesaid, shall be at liberty so to do: *Provided also,* that in case the said pilot, or either of his deputies shall go on board any vessel at sea, and which was bound into this harbour, that then the said pilot, or his deputy shall be entitled to one half the fees specified in his warrant, in case the master or owner declines to employ him, or them; and, on refusal of payment, may sue for and recover the same.

6. *Provided also,* That if any vessel shall be within the light-house of the harbour aforesaid, before any pilot shall go on board, and the master of such vessel shall then decline taking a pilot, he shall be exempt from the fees of pilotage in the said port.

* Act of June 18th, 1805.

7. If any vessel while under the charge and direction of the branch or warrant pilot, or his deputy, shall be lost, cast away, or run aground, through the unskilfulness or neglect of such branch or warrant pilot, or his deputy, then, and in that case, such branch or warrant pilot, or his deputy or deputies shall be liable to pay the just value of the vessel and her cargo, or any proportionable damage which may be sustained thereby; to be sued for and recovered by the owner or owners, insurer or insurers thereof, in any court proper to try the same.

And to the intent that a suitable check may be had upon the pilot aforesaid, and that he may be excited to due vigilance in the discharge of the duties assigned him:

8. The president and council are empowered so hear and determine all complaints exhibited against the said pilot or his deputies, or either of them, for mal-conduct in the premises; and at their discretion to put out or suspend any or either of them, and to appoint others in their room, laying the reasons therefor before the general court, at the next session after such suspension or removal.*

Whereas it is found that one branch pilot cannot perform all the duties of that office: Therefore it is

Resolved, by the senate and house of representatives in general court convened, That the president of this state, with advice of council, may appoint, as often as occasion may require, three such pilots, who shall, prior to their exercising said office, severally give bond, and take the oath for the faithful discharge of the duties of that office, as the law directs.†

MASSACHUSETTS.

Whereas frequent and heavy losses have been sustained, and navigation greatly injured, for want of a well regulated pilotage in the harbours hereafter mentioned:

Sect. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the Governor, with advice of Council, be empowered to appoint suitable persons as pilots for the several harbours and coasts hereafter mentioned, viz. two for the port of Salem; two for the port of Marblehead; and two for the port of Gloucester; two for the port of Plymouth; four for the coasts of Nantucket; ten for the coasts of Martha's-Vineyard; and to give to each of the said pilots branches or warrants for the due execution of the duties of their respective offices, with power of substitution in certain cases to be therein prescribed. And such deputies as the said Branch Pilots shall severally depute, shall be by them reported to the Governor, for his approbation.

2. Every Pilot and Deputy shall, before his entering upon the business of his office, take the following oath or affirmation, before some Justice of the Peace, viz.

You A. B. do swear, (or affirm, as the case may be,) that you will from time to time, truly and faithfully perform the duties of a pilot for the harbour or port of —, according to your best skill and judgment, agreeably to the laws of this Commonwealth.—*So help you GOD.*

And each of the said Branch Pilots shall enter into bonds, with sufficient sureties, to the Treasurer of this Commonwealth, in the sum of One Thousand Pounds, for the due performance of the trust reposed in him. And every Branch Pilot being commissioned and qualified as aforesaid, is hereby empowered and directed, by himself or his deputy, to take charge of any vessel or vessels drawing nine feet of water and upwards (coasting and fishing vessels excepted) bound into any of the ports aforesaid, and shall pilot such vessel or vessels into the port aforesaid, and shall pilot such vessels into the port assigned to him, first showing to the master or masters thereof, his branch or warrant, and acquainting him or them of his fees.

3. The districts of the several Pilots are limited in manner following, viz. The Pilots for the port of Boston, from the highlands of Marshfield, on the south, to what is usually called Nehant-Rock, on the north; the Pilots for the ports of Salem and Marblehead, from the said Nehant-Rock, on the south to Norman's-Woe, on the north; the Pilots for the port of Gloucester, from the said Norman's-Woe, round the Cape, to Jabackah-Barr, (so called;) the Pilots for the port of Newbury-Port, from Jabackah-Barr, on the south, to the Isle of Shoals, on the north; the Pilots for the port of Plymouth, from the highlands afore-mentioned, on the north, to the point of Cape-Cod, on the south; the Pilots for the coasts of Nantucket and Martha's-Vineyard, to take charge of any vessel or vessels on the coasts thereof, that shall be bound over the shoals.

4. Each of the said Branch Pilots shall always keep one decked boat in good repair, except the Pilots for the coasts of Nantucket and Martha's-Vineyard, who, as well as all other Branch Pilots, shall at all times keep a sufficient number of suitable row-boats, for the purposes aforesaid; and one of the boats for the port of Boston, shall be stationed at

the Light-House Island; one for the port of Newbury-Port, at Salisbury-Point, or Plumb-Island; one for the port of Plymouth, in the harbour of Plymouth; two for the port of Salem, in the harbour of Salem; two at Marblehead, one in the harbour of Gloucester, and one in Sandy-Bay (so called); four at Holmes's-Hole; and two at Edgarton; and all the above mentioned boats shall cruise on the pilot-ground of their respective stations as often as the weather shall permit.

5. The Governor, with the advice of Council, is empowered and requested, to determine and fix the fees of pilotage of the several Pilots, according as the circumstances of peace or war may require, and to specify the same in their respective warrants; and also to transmit to each Naval Officer in the ports and harbours aforesaid, a schedule of the said fees, to be by such Naval Officer hung up in his office for public inspection.

6. Any master of a vessel who may choose to hazard the pilotage of his own vessel into any port, shall be at liberty so to do, subject, however, to pay such Pilot of the said port, as shall first come on board his vessel, one half pilotage according to the fees specified in his warrant; and such Pilot is hereby empowered, on refusal of the payment thereof, to sue for and recover the same.

7. If any vessel shall be within the chops of the harbours of Salem, Marblehead; and Gloucester, or within the bar at the entrance of the harbour of Newbury-Port, or within the gurnet at the entrance of the harbour of Plymouth, or within any barred harbour, before any Pilot shall go on board, and the master of such vessel shall then decline taking a Pilot, he shall be exempt from any fees of pilotage in the said ports.

8. If any vessel, while under the charge and direction of a Branch or Warrant Pilot, or his deputy, shall be lost, cast away, or run aground, through the unskilfulness or neglect of such Branch or Warrant Pilot, for his deputy, then, and in that case, such Branch or Warrant Pilot shall be liable not only for himself but for his deputy (provided the said deputy shall be the pilot of the said vessel at the time thereof) to pay the just value of the vessel and her cargo, or any proportionable damage which may be sustained thereby, to be sued for and recovered by the owner or owners, or insurer or insurers thereof, in any court proper to try the same.

9. If it shall hereafter become necessary for any port or ports within this Commonwealth, not mentioned in this Act, to have a pilot or pilots assigned them, the governor, with the advice of Council, is empowered to appoint and commission one or more pilots for every such port or ports as to him shall appear necessary, in the same manner as the pilots for the ports mentioned in this Act are directed to be appointed and commissioned: And the pilot or pilots so appointed, are hereby vested with the same power and authority and shall be under the same bonds, and subject to the same penalties, that are provided in this Act for any of the Pilots before mentioned.

10. All vessels drawing nine feet of water and upwards, bound to sea, out of any of the ports aforesaid, (except coasting and fishing vessels,) shall be under the same restrictions, and liable to pay the same fees that vessels are under and liable to, that are bound into any of the same ports, and all pilots of any outward bound vessels, shall be liable to similar actions for damages, and subject to the same penalties for their unskilfulness or neglect, that they would have been, if the same vessels had been bound into any of the ports aforesaid.

And to the intent that a suitable check may be had upon the pilots aforesaid, and that they may be excited to a due vigilance in the discharge of the duties assigned them:

11. The Governor and Council be and they hereby are empowered to hear and determine all complaints exhibited against the said pilots, or their deputies; or either of them, for mal-conduct in the premises, and to suspend or remove them, or either of them, at their discretion, and to appoint others in their room, laying the reasons therefor before the general court, at the next session after such suspension or removal.*

Sec. 2. No person shall undertake to pilot any vessel into or out of the river Merrimack, drawing nine feet of water, or more (coasters and fishing vessels excepted) without having first obtained a commission or branch as is herein after provided.

3. Whenever any person shall obtain from the Marine Society of Newburyport, a certificate signed by their clerk, that in their opinion, or in the opinion of the major part of the members of said Marine Society, he is capable and suitable to undertake the business of pilotage into and out of the river Merrimack, the governor with advice of council, is empowered to grant to such person a commission or branch for him to exercise said business as aforesaid, and the same to demand and recall whenever said Marine Society, or the major part of them, shall certify by their clerk that the said person is rendered incapable or improper to be continued in said business.

4. Before any person shall receive such commission or branch, he shall give bond, with sufficient surety, to the Treasurer of this commonwealth, in the sum of one hundred

* Act of July 11, 1783.

pounds, conditioned that he will give up said commission or branch whenever it shall be demanded as aforesaid.

5. If any person other than one having obtained a commission or branch, as is herein before provided, shall presume to pilot a vessel contrary to the meaning of this Act, he shall not be entitled to any fee for the same, and shall further be liable to pay any damages that may accrue in consequence of his undertaking so to pilot such vessel, to be recovered by the owner, assignee, or master of said vessel in an action on the case, to be brought before any court proper to try the same.*

Sec. 2. No person shall undertake to pilot any vessel drawing nine feet of water or more (coasters and fishing vessels excepted) into or out of the harbour of Boston, without having first obtained a commission or Branch, as is herein after provided, under the penalty of fifty dollars for each offence.

3. The pilotage of the said harbour of Boston, shall be formed into two divisions, outward and inward; and the outward division shall consist of four branches, and the inward division shall consist of three branches; and no person so commissioned as a Pilot, or his deputy, shall undertake to bring in or carry out of said harbour any vessel drawing nine feet of water (coasters and fishing vessels excepted) except in his own particular branch, under penalty of fifty dollars.

4. Whenever the full number of Pilots before mentioned shall not be commissioned, and any person shall obtain from the Marine Society of Boston, a certificate signed by their clerk, that in their opinion, or in the opinion of the major part of the members, at a legal meeting of said Society, he is capable and suitable to undertake the business of the outward or inward pilotage of said harbour of Boston, the governor, with the advice of council, may grant to such person a commission or branch, authorizing him to exercise the business of a pilot for said harbour of Boston, in the division for which he shall be so recommended, by the said Marine Society, and to employ such deputies as he may find necessary; and the same may annul whenever the governor and council shall have sufficient evidence, by certificates from the Marine Society, Chamber of Commerce, or otherwise, that the said person is rendered incapable or improper to be continued in said business.

5. Every Pilot and deputy appointed as aforesaid, shall, before his entering on the business of his office, take the following oath or affirmation, before some Justice of the Peace, viz. "You A.B. do swear, (or affirm, as the case may be,) that you will perform the duties of an inward or outward bound Pilot (as the case may be) for the harbour of Boston, according to your best skill and judgment, agreeably to the laws of this Commonwealth; so help you God." And each of said branch Pilots of both divisions shall enter into bonds, with sufficient sureties, to the Treasurer of this commonwealth, in the sum of two thousand dollars, for the faithful discharge of duty, both for themselves, and every one employed under them. And also, that he will give up his commission or branch whenever demanded as aforesaid. And each Pilot of both divisions, being commissioned and qualified as aforesaid, is hereby empowered and directed, by himself or his deputy, to take charge of any vessel drawing nine feet of water and upwards, (coasting and fishing vessels excepted,) bound into or out of the port aforesaid, and shall pilot such vessel accordingly, first showing to the master thereof, his branch or warrant, and stating to him the amount of his fees.

6. Each Branch of the inward pilotage, shall always keep one staunch decked boat, not less than twelve tons, in good repair, and calculated to ply in the bay in all weathers, for the purposes aforesaid, to be furnished with at least three good Pilots, and shall be stationed in some place near the entrance of the harbour, convenient for the purpose aforesaid.

7. The governor, with the advice of council, is empowered and requested to determine and fix the fees of pilotage of the several pilots for said harbour of Boston, from time to time, having respect to the different risk and hazard of the inward and outward divisions, and according as the circumstances of peace or war, and the seasons of the year may severally require, and specify the same on their respective warrants, and also to transmit to the Custom-house for the port of Boston, and Charlestown, a schedule of said fees, to be hung up in that office for public inspection and information.

9. Any master of a vessel bound into the port aforesaid, whose vessel shall not be boarded, or offered to be boarded by a Pilot of the inward division aforesaid, until he shall arrive within the Light-house aforesaid, may, if he see fit, be the Pilot of his own vessel into the port aforesaid, without being subject to the payment or any pilotage whatever, and if such master of any vessel shall receive a Pilot within the Light house aforesaid, he shall not be compelled to pay more than half pilotage according to the fees specified on the warrant.

10. If any vessel, while under the charge and direction of a Branch or Warrant Pilot, or his deputy, of the port aforesaid, shall be lost, cast away, or run aground, through the

unskillfulness or neglect of such Branch or Warrant Pilot, or his deputy, in that case, such Branch or Warrant Pilot, shall be liable, not only for himself, but for his deputy, to pay the just value of the vessel and her cargo, or whatever damage may be sustained thereby, to be sued for and recovered by the owner or owners, insurer or insurers thereof, in any Court proper to try the same.

11. It shall be the duty of every Pilot, or his deputy, of the inward division of the port aforesaid, to see such vessel properly moored in the stream, or secured to the wharf, at the option of the master, within twenty-four hours after the arrival of such vessel.

12. The hull and appurtenances of all vessels so piloted into or out of the harbour aforesaid, shall at all times within the space of sixty days, be liable for the charges of pilotage agreeably to the terms herein before expressed.

A subsequent act regulating the pilotage of the port of Boston, enacts, that any master of a vessel drawing nine feet of water and upwards, (coasters, and vessels without registers, and all American vessels, engaged in the Plaster Trade, bound from any Port within the Province of New Brunswick or Nova Scotia, excepted) who may choose to employ the pilotage of his vessel into the harbor of Boston, either by himself, or any other person, whom he may employ, shall be at liberty so to do; subject, however, to the following provisions, to wit: that whenever a vessel takes a Branch Pilot, he shall be paid the full rates of pilotage; and the first Boston Branch Pilot who shall offer his services to the master of any vessel bound into the Port of Boston, before such vessel shall be to the westward of a line extending from Nahant-Head to the outer part of the Graves, and from thence to Harding's Rocks, and whose services shall not be accepted, shall be entitled to receive the full rate of pilotage, as specified in his warrant. And if such Pilot offers himself after a vessel has passed the line before described, and before she is westward of Light-house, (if in Light-house channel) or before the Light-house can be seen to westward of the Great Brewster (if in Broad Sound) and his services are not accepted, he shall be entitled to half the usual rates of pilotage.

NEW-YORK.

By an act passed February 19th, 1819,

1. A Board of wardens is established who must be experienced seamen or pilots, to be known by the name of "the master and wardens of the port of New-York," and shall have full power and authority to have and use a common seal, with such device as they may think proper; and the said master shall have power and authority to administer to any person or persons, any oath or oaths, affirmation or affirmations, touching or concerning the business of the said board of wardens: *And further*, That all fines, penalties, and forfeitures, shall and may be sued for and recovered by the said board of wardens, or their successors, by their said name of "the master and wardens of the port of New-York:" They must take an oath as follows:

2. "I, _____, will well, truly, and faithfully, according to the best of my skill and understanding, execute and perform the powers and duties vested in or enjoined upon me by law, as master, (or as one of the wardens, as the case may be,) of the port of New-York;" which oath or affirmation shall be filed in the office of the clerk of the city and county of New-York.

3. The said board of wardens shall, and may, from time to time, appoint a clerk, who shall not be one of the said board, and keep an office in the city of New-York, at which office, a majority of the said master and wardens, and their clerk, shall give attendance daily, (Sundays and public holidays and the fourth day of July excepted,) and the said board of wardens shall cause to be made, and kept by their clerk, regular and fair minutes and entries of all orders, regulations, transactions, and proceedings of the said board, under and by virtue of this act; and which said book or books of entries, shall and may be inspected by any person or persons desiring to inspect the same, such person or persons desiring to inspect the same paying to the said clerk twelve and an half cents each time the said books shall, at his or their request be opened and examined: *And further*, That the said clerk shall give true copies of any such entries or minutes, so to be made in the said book or books, to such person or persons as may require the same, such person or persons paying therefor to the said clerk one cent for every twelve words or figures such copy shall contain.

4. The master, or one of the owners or consignees, of every vessel arriving at the port of New-York, (except vessels belonging to a citizen or citizens of the United States, and excepting also the vessels of other nations that are permitted by the laws of the United States to enter on the same terms as vessels belonging to a citizen or citizens of the United

touching any other matter the said board of wardens may think proper; and if, upon such an examination, the person so applying shall be found and appear to the board to be of sufficient ability, skill, and experience to act as a pilot, or as a deputy pilot, as the case may be, and not otherwise, the said board of wardens may grant him a licence for piloting vessels by the way of Sandy-Hook, or branch or license for piloting vessels through the channel of the east river, commonly called Hell-Gate, or for acting as a deputy pilot under a branch pilot, as such applicant shall desire, and be found qualified for.

11. All such branches or licenses so to be granted by the said board of wardens, to persons to act as pilots or as deputy pilots, shall be under the seal of the said board of wardens, and shall be signed by the master, or in case of his death, absence, or inability to act, by one of the wardens, and shall be attested by the clerk of the said board, or the person acting as clerk for the time being; and which branches or licenses shall be in force, unless revoked, (and except during the suspension of the pilot or deputy pilot acting under the same when suspended,) from the time of the granting thereof, until the same shall be revoked by the wardens as aforesaid; and if any person whomsoever, not being licensed as aforesaid, or who shall be suspended by the board of wardens, shall, under any pretence whatever, at any time after the passing of this act, pilot or offer to pilot, any ship or vessel, to or from the port of New-York, by the way of Sandy-Hook for hire, or any compensation for such pilotage, when a branch pilot or deputy pilot offers, he shall forfeit and pay to the said board of wardens the sum of fifty dollars for each and every vessel he shall so pilot, or offer to pilot; or if any such person shall pilot, or offer to pilot, any ship or vessel, other than vessels employed in the coasting trade between the port of New-York and any other port of the United States, through the Sound or Hell-Gate, or shall pilot or offer to pilot, in like manner, any coasting vessel exhibiting the usual signal for a pilot to come on board, when a branch pilot or deputy pilot offers, he shall forfeit and pay the sum of thirty dollars for each and every vessel he shall pilot or offer to pilot: *Provided*, That in all cases where vessels shall be within sight of Sandy-Hook, with the usual signal for a pilot, and no pilot offering for four hours, from the first of April to the first of November, and two hours from the first of November to the first of April, it shall be lawful for any qualified person to pilot the said vessel into port: *Provided*, That if after any vessel shall be so taken in charge by any person so qualified as aforesaid, and any branch or deputy pilot shall board and take charge, or offer to pilot such ship or vessel into port, he shall be entitled to receive the pilotage allowed by this law from the place he shall so take charge, or offer to take charge, of such ship or vessel.

12. Each branch pilot may have one deputy under him, to be appointed and licensed by the said board of wardens, to act as a deputy pilot under such branch pilot; and which said deputy pilot shall be subject to the same regulations, and liable to the same fines, forfeitures, and penalties as branch pilots; and that every branch pilot and deputy pilot of the port of New-York, before he enters on his employment, shall enter into a recognizance, to the people of this state, before the mayor or recorder of the city of New-York, with two sufficient sureties, to be approved of by the said board of wardens, each in the penalty of two hundred and fifty dollars, with condition, that he will diligently and faithfully execute the trust reposed in him, and the duties required of him, as such pilot, or deputy pilot, as the case may be, according to the directions of this act, and such rules, orders, and regulations as may be given him in pursuance thereof; and every such recognizance, if forfeited, may, at the instance of the said board of wardens, or on the request of any party aggrieved, be prosecuted under the directions of the said board of wardens, in any court having cognizance thereof, to judgment and execution, as in other cases; and the amount of such recognizance, when received, shall, by order of the court in which the same shall be recovered, be so paid to the said board of wardens; and the said board shall, in such case, and also at any time after suit brought on such recognizance, if required by any party interested therein, examine into and ascertain the damages sustained by the party so aggrieved, and shall apply the moneys which may be so recovered by them, or as much thereof as shall be required for the purpose, in or towards the payment of the damages so ascertained, and shall make report, in writing, to the court in which such recovery shall be had, of the damages so ascertained, and of the payment so made, for or on account thereof. If the branch pilot or deputy pilot, so offending, shall, before judgment obtained on his recognizance as aforesaid, pay to the party aggrieved the damages to be ascertained by the board of wardens, in manner aforesaid, together with the costs of suit, the suit, on such recognizance, shall be discontinued.

13. The branch pilots herein above mentioned, shall, from and after the passing of this act, keep and maintain, in the piloting service to and from the port of New-York, by way of Sandy-Hook, not less than five good and sufficient pilot boats, such as shall be for that purpose examined and approved of by the said board of wardens; and that such boats shall be registered in the said warden's office; and it shall also be the duty of the masters of such boat or boats, to report, in writing, to the said board of wardens, their said office, in the city of New-York, on the first days of May and November, in

each and every year, the names and numbers of the branch and deputy pilots, boat keepers and apprentices, attached to the said boat or boats respectively : *And further*, That each and every pilot, and master of a pilot boat, offending against the foregoing provisions of this section, shall forfeit and pay to the said board of wardens, for each and every offence, the sum of fifty dollars : *And further*, That it shall not be lawful for more than two boats' crews, not exceeding twenty persons in all, pilots and deputy pilots included, but exclusive of apprentices, to be in partnership, or have a joint or common interest or concern in this business as pilots, or in the pilotage, profits, or emoluments thereof, without a special permit, in writing, for that purpose, from the said board of wardens ; and each and every pilot or deputy pilot, offending against the provisions of this section, shall forfeit and pay, for each and every offence, the sum of fifty dollars ; and every continuance of such partnership, or other joint or common interest or concern, after suit brought against such offender, notwithstanding that the same may be varied or altered as to parties or terms, or otherwise, and whether the same shall be so varied or altered, or not, shall be deemed a new offence in each and every person so continuing the same, who shall forfeit and pay the like sum of fifty dollars for each and every such continuance thereof, and so from time to time, on each and every subsequent suit brought ; or it shall be lawful for the board of wardens, in their discretion, to revoke the license of any pilot or deputy pilot who shall offend against the provisions of this section, or to suspend him from acting as a pilot or deputy pilot for such time as the said board shall think proper.

14. If any pilot or deputy pilot shall misbehave, when in the execution of his duty, it shall and may be lawful to and for the board of wardens, on complaint thereof made to them, to appoint a time and place of hearing, whereof fifteen days notice shall be given to such pilot or deputy pilot, and on due proof being made to the said board of wardens, to their satisfaction, of misbehaviour of such pilot or deputy pilot, to fine such pilot or deputy pilot therefor, in any sum not exceeding twenty-five dollars, or to suspend him for any term which the said board may think proper : *Provided always*, That nothing herein contained shall be so construed as to prevent the owner or consignee of such vessel, or any other person or persons, from recovering his or their damages, if any, by occasion of such misbehaviour of such pilot or deputy pilot.

15. If any pilot or deputy pilot shall negligently or carelessly lose any vessel under his care, and be thereof convicted by due course of law, he shall for ever after such conviction be incapable of acting as a pilot or a deputy pilot in this state ; and if any pilot or deputy pilot shall run any vessel on shore, he shall not be entitled to any pilotage for such vessel.

16. In case of the suspension of any pilot or deputy pilot, such pilot or deputy pilot, so suspended, shall forthwith deliver up his branch or license to the said board of wardens, to be by them kept until the time for which he shall be so suspended shall be expired, under the penalty of one hundred dollars for each and every refusal so to do.

17. None but pilots or deputies can be concerned in the boats.

18. The said board of wardens shall furnish every pilot or deputy pilot aforesaid, with printed instructions, to be shown by such pilot or deputy pilot, to the master or commander of every vessel, as soon as he shall go on board to take charge of such vessel to pilot her into the said port, under the penalty of ten dollars for each and every neglect or refusal.

19. The master, owner, or consignee of any ship or vessel, appearing in distress, and in want of a pilot, on the coast, shall pay unto such branch pilot or deputy pilot, who shall have exerted himself for the preservation of such ship or vessel, such sum, for extra services, as the said master, owner, or consignee and pilot can agree upon ; and in case no such agreement can be made, the board of wardens shall determine what is a reasonable reward ; and the sum so determined by them shall be paid in manner aforesaid.

20. If the master of any ship or vessel, coming into or going out of the port of New-York, except schooners and sloops employed in the coasting trade, and licensed for that purpose, not over seventy tons burthen, (unless such vessel shall make the usual signal for the pilot,) shall refuse to receive on board and employ a pilot, the master or owner of such vessel, shall pay to such pilot who shall have offered to go on board and take charge of the pilotage of such vessel, half pilotage from the place at which such pilot shall have offered himself, to the said port of New-York.

21. If any vessel going out of the port of New-York, shall carry off to sea, through the default of the master or owner of such vessel, any pilot or deputy pilot, when a boat is attending to receive such pilot or deputy pilot from on board such vessel, the master, owner, or consignee of such vessel, shall pay the board of wardens aforesaid, for the use of such pilot or deputy pilot, besides the pilotage of such vessel, at and after the rate of seventy-five dollars per month, until such pilot or deputy pilot shall return to the port of New-York aforesaid.

22. It shall be lawful for every branch pilot or deputy pilot aforesaid, to ask and receive pilotage from any person or persons who shall employ him to pilot any ship or ves-

sel from the eastward or southward of the white buoy, situate on the eastern edge of the outer middle ground, near the bar, to the port of New-York, and shall there safely moor such vessel, or take her to a proper wharf, as the master, owner, or consignee of such ship or vessel may desire, and likewise from any person or persons who shall employ him to pilot any ship or other vessel from the port of New-York to the eastward or southward of the said white buoy, so far that such vessel may safely proceed to sea, at and after the rates following, to wit: for ships and vessels of the United States, and for vessels of other nations that are permitted by the laws of the United States to enter on the same terms as vessels of the United States, the sums following, viz. for every ship or vessel drawing less than fourteen feet, one dollar and fifty cents for every foot such ship or vessel shall draw; for every ship or vessel drawing fourteen feet, and less than eighteen feet, one dollar and seventy-five cents for every foot such ship or vessel shall draw; and for every ship or vessel drawing eighteen feet and upwards, two dollars and twenty-five cents for every foot such ship or vessel may draw; and for all other ships or vessels, an addition of one-fourth to the above rates; and further, if the master or owner of any ship or vessel, having a pilot on board, shall choose to have his said ship or vessel moored at any place within Sandy-Hook, and not destined to New-York as aforesaid, such pilot or deputy pilot shall be allowed the same rate of pilotage as if the said ship or vessel was moored or conducted to a proper wharf as aforesaid, and shall be entitled to his discharge from such ship or vessel within twenty-four hours thereafter: *Provided*, that no more than half pilotage, at the rate aforesaid, shall be demanded or received by any such pilot, who shall, to the westward of the said white buoy, take charge of any ship or vessel coming into the port of New-York: *And provided also*, that no pilotage whatever shall be demanded or received by any such pilot for any such ship or vessel coming into the said port of New-York, unless such pilot shall take charge of such ship or vessel to the southward of the upper middle ground, and such vessel be at least of the burthen of seventy tons, unless such vessel shall make the usual signal for a pilot, in which case it shall be the duty of such pilot to take charge of such vessel, and such pilot shall then be entitled to half pilotage therefor as aforesaid: *And further*, that between the first day of November and the first day of April, inclusive, in every year, such branch pilot or deputy pilot may ask and receive the additional sum of four dollars for every ship or other vessel drawing ten feet and upwards; and for every ship or other vessel, drawing less than ten feet water, the additional sum of two dollars.

23. It shall be lawful for every branch pilot or deputy pilot aforesaid, to ask and receive from any person or persons, who shall employ him to pilot any ship or other vessel, and which said ship or vessel shall be taken in charge by such branch pilot or deputy pilot, at such distance from land as that Sandy-Hook light-house could not be seen from the deck of the said vessel, in the day-time, in fair weather, the addition of one-fourth to the rates of pilotage allowed by virtue of the provisions of this act: *Provided nevertheless*, that the branch pilots and deputy pilots belonging to any boat which shall have piloted any ship or vessel into the port of New-York, by the way of Sandy-Hook, shall be entitled to a preference in piloting the said ship or vessel out of the said port on the next outward voyage of the said ship or vessel, if the said voyage be by the way of Sandy-Hook: *Provided also*, in case of non-attendance of some one of the said pilots or deputies, at the time and place required by the master, owner, or consignee of such ship or vessel, that then it shall be lawful for the said master, owner, or consignee to employ such other branch pilot or deputy pilot as they may think proper; and the said pilots or deputies shall, by such non-attendance, be deemed to have relinquished the preference provided for them as aforesaid; but in all other cases where there is no preference given as aforesaid, it shall be the duty of the board of wardens to apportion the vessels outward bound, by the way of Sandy-Hook, as equal as may be, amongst the pilots and deputy pilots licensed for that purpose.

24. For every day which any pilot or deputy pilot shall be requested to remain, or be detained, on board any ship or vessel, by the master, owner, or consignee, over and above the usual detentions of getting ships and vessels from the wharf to sea, and from sea to the wharf, he may demand and receive the sum of three dollars per day for each and every day he shall be so detained.

25. Every pilot licensed to pilot vessels through the channel of the east river, commonly called Hell-Gate, may demand and receive from the master of any ship or vessel, to whom he shall tender his services as a pilot, and by whom the same shall be refused, and for detention on board of any vessel, (over and above the usual detention of navigating vessels through the channel of the east river, commonly called Hell-Gate,) three-fourths of the rates of compensation herein before allowed to the other licensed pilots of the port of New-York in those cases; and in all other cases, they may demand and receive such rates of pilotage as shall be established by the board of wardens aforesaid, for such pilots: *Provided*, that nothing shall be demanded or received from the master or owners of any vessel employed in the coasting trade, and sailing under a coasting license through the river or sound, commonly called Hell-Gate, unless such vessel shall make the signal for a pilot.

26. To each and every boat in the pilot service, to and from the port of New-York, by the way of Sandy-Hook, there shall be not less than two apprentices, who shall be indentured to the master of the said boat or boats, or some other branch or deputy pilot attached to the said boat or boats, for a term not less than five years, (copies of which indentures shall be filed forthwith in the office of the said wardens,) and it shall be the duty of the master-pilot to whom such apprentices shall be indentured, to attend diligently to the instruction of said apprentices, in the art and mystery of a pilot, and from time to time, and not less than once in every month of the two last years of the said apprenticeship, to take such apprentices on board of ships or other square-rigged vessels, for the purpose of teaching said apprentices to work and manœuvre such ships or vessels: *And further*, that the said board of wardens shall, annually, in the month of May, cause all the said apprentices to be examined in their office, in the presence of two or more of the branch pilots, who are hereby required to attend for that purpose, touching and concerning their knowledge of the tides, bearing and distances of the several shoals, reefs, bars and points of land, currents and every other matter the said board of wardens may think proper, tending to promote the safe navigation of vessels between the city of New-York and Sandy-Hook.

27. The branch pilots, the deputy pilots, apprentices indentured as above mentioned, and boat keepers, (to be selected from the deputy pilots or apprentices,) shall be the only persons employed in the pilot service to and from the port of New-York by the way of Sandy-Hook.

28. It shall be the duty of every branch pilot, or deputy pilot, upon taking charge of any vessel, either outward or inward bound, to cause the lead to be regularly hove, and to see that the lead-line is properly marked, and in default thereof, that he forfeit his pilotage.

29. In case the owner or consignee of any ship or vessel, shall not be satisfied with the amount of pilotage charged against such ship or vessel, by the branch or deputy pilot, for the pilotage of such ship or vessel, to or from the port of New-York, it shall be the duty of such pilot or deputy pilot, to have the amount of pilotage claimed by him as aforesaid, taxed or certified by the board of wardens of the said port, who are hereby required to examine and certify the same, without fee or reward; and that no suit or action shall be brought or maintained for such pilotage until the same shall be taxed or certified as aforesaid.

30. In order to prevent intoxication in persons having the charge of ships and vessels, as pilots, that if any branch pilot or deputy pilot shall become intoxicated in charge of any ship or vessel, as pilot, he shall, for the first offence, forfeit his pilotage, be suspended from duty for six months, and in addition thereto forfeit and pay fifty dollars to the trustees of the pilots' charitable society; and for the second offence be deprived of his branch or license, as the case may be, and be for ever thereafter incapable of acting as a pilot.

31. The half-pilotage authorized and directed to be paid by the twentieth section of this act, shall be paid to the trustees of the pilots' charitable society, to be by them appropriated, together with their other moneys, in such manner as they may see fit, to the relief of distressed pilots, and the widows and children of deceased pilots.

32. All forfeitures, fines and penalties, which shall or may be recovered and received by the said board of wardens, under and by virtue of this act, and not otherwise appropriated, shall be applied, in the first instance, for, in, or towards the payment of such costs of suit and disbursements of the said board of wardens, in their prosecutions and proceedings, under this act, against offenders, as shall not be received by them from the party or parties so prosecuted or proceeded against; and the overplus and residue thereof, if any overplus there should be, shall be accounted for and paid over, on the first Monday of June, in each and every year, to the pilots' charitable fund, in the city of New-York, for the use and benefit of that association.

33. Two harbour masters to be appointed; and the said harbour masters, before they enter upon the duties of their said office, shall respectively execute bonds, to the people of this state, with two sufficient sureties, to be approved of by the mayor or recorder of the city of New-York, each in the penal sum of two thousand five hundred dollars, conditioned for the faithful and impartial fulfilment of the duties required by this act, and shall also take an oath truly and faithfully to execute the same: *Provided however*, that the harbour masters already appointed shall continue in office until others are appointed as aforesaid.

34. The said harbour masters shall jointly and severally perform all the duties, exercise all the powers, and divide equally between them all the emoluments imposed and authorised by this act: *Provided*, that the said harbour masters shall not have power or powers to appoint a deputy or deputies, unless in the following cases; that is to say, in case of the sickness of one or both of the said harbour masters, either of them may appoint a deputy or deputies to act during such sickness; and in case of the death of one of them, the surviving harbour master may appoint a deputy or deputies, to act until the council of appointment shall supply such vacancy.

25. The said harbour masters shall have authority to regulate and station all ships and vessels in the stream of the east and north rivers, within the limits of the city of New-York, and the wharves thereof, and to remove, from time to time, such ships or vessels as are not employed in receiving and discharging their cargoes, to make room for such others as require to be more immediately accommodated, for the purpose of receiving or discharging theirs; and as to the fact of their being fairly and *bona fide* employed in receiving or discharging their cargoes, the said harbour masters, or either of them, is hereby constituted the sole judge: *And further*, the said harbour masters, or either of them, shall have authority to determine how far, and in what instances, it is the duty of the masters and others, having charge of ships and vessels, to accommodate each other, in their respective situations; and if any master, or other person, having charge of any ship or vessel, shall refuse or neglect to obey the directions of the said harbour masters, or either of them, in matters within their authority to direct, or if any person shall resist or oppose the said harbour masters, or either of them, in the execution of the duties of their office, such master, or other person, having charge of any ship or vessel, or other person whatsoever, shall, for every such offence, forfeit and pay the sum of fifty dollars, to be recovered, with costs of suit, in the name of the treasurer of the hospital of the said city, before any court having cognizance thereof: all which fines, when collected, shall be paid to said treasurer, for the use of said hospital.

36. The said harbour masters shall have power to demand and receive, from the commanders, owners, and consignees, or either of them, on all ships or vessels of the United States, and on all ships or vessels of any foreign nation that are permitted by the laws of the United States to enter on the same terms as vessels of the United States, and which shall enter the said port of New-York, and load or unload, or make fast to any wharf therein, one and a half cent per ton, to be computed from the tonnage expressed in the register or enrolments of such ships and vessels respectively, and no more; and also on all other foreign ships or vessels which shall arrive at and enter the said port, and load, unload, or make fast to any wharf therein, double the amount of fees above specified, according to the rate of tonnage or burthen of said ships or vessels respectively, to be ascertained by their respective registers, or other documents on board the same: *Provided nevertheless*, that nothing whatsoever shall be demanded by the said harbour masters for the entrance into the port of New-York of any sloop or schooner employed in the coasting trade within the United States, unless upon the application of the master or person having charge of any such vessel employed in the coasting trade aforesaid, the said harbour masters, or either of them, shall interfere and adjust any difference which may happen respecting the situation or position of any such coasting vessel; which difference said harbour masters, or either of them, are hereby authorized and required to hear and determine; in which case, the said harbour masters or either of them, may demand and receive, from the party in default in the premises, the sum of two dollars, and no more, for any difference so by him adjusted; to be sued for, and recovered, in the names, and for the use, of said harbour masters, in any court having cognizance thereof.

37. The master, owner, or consignees of any ship or vessel, subject to the payment of fees to the harbour masters as aforesaid, shall, within forty-eight hours after the arrival of such ship or vessel, pay the fees so due thereon, at the office of the said harbour masters, or one of them; and in default of such payment, if the same shall have been first duly demanded, such master, owner, or consignee, on whom such demand shall have been previously made, shall forfeit and pay double the amount of such fees, to be sued for and recovered, in the names, and for the use, of the said harbour masters, in any court having cognizance thereof.

38. It shall be the duty of the said harbour masters to superintend and enforce the execution of all laws of this state, and by-laws of the corporation of the city of New-York, for cleaning the docks and wharves, and for preventing and removing all nuisances in or upon them, or either of them: And if the person or persons, whose duty it shall be to remove such nuisance, shall refuse or neglect to remove the same, within forty-eight hours after notice from the said harbour masters, or one of them, requiring such person or persons to remove the same, the said harbour masters may thereupon demand and receive from such person or persons, so neglecting or refusing, the sum of two dollars and fifty cents; and in case of non-payment thereof, on demand, the same may be sued for and recovered, in the names of, and for the use of the said harbour masters, in any court having cognizance thereof.

By an act passed April 12th, 1822, it is further enacted, that,

Sec. 1. If the master of any ship or vessel, (except schooners and sloops under seventy tons, employed in the coasting trade, licensed for that purpose, and not making the usual signal for a pilot,) coming into the port of New-York, shall refuse to receive on board and employ a pilot who shall have offered to go on board and to take charge of the pilotage of such vessel, the master, owner, or consignee of such vessel, shall pay to the trustees of the Pilots' Charitable Society half pilotage, from the place at which such pilot shall have offered himself to the said port of New-York.

2. If the master, owner, or consignee of any registered or square rigged vessel going out of the said port of New-York, shall refuse to receive on board or employ a pilot who shall have offered to go on board and to take charge of the pilotage of such vessel, the master, owner, or consignee of such vessel shall pay half pilotage to the trustees of the Pilots' Charitable Society.

3. Any pilot, notwithstanding his being a member of the Pilots' Charitable Society, may be a competent witness to prove the refusal by the master, owner, or consignee to receive on board and employ a pilot as aforesaid, and the twentieth section of the act hereby amended is hereby repealed.

Passed April 12th, 1822.

PENNSYLVANIA.

By an act passed 29th March, 1803,

Sec. 1. A board of wardens is established, consisting of one warden, and six assistants, who have the power to grant licenses to pilots, and an appeal may be had from the decision of the master warden to the board, giving at the same time security to abide their judgment.

14. No vessel liable to tonnage duty can be moored at any wharf in the city of Philadelphia, without the leave of the owner; but if consent be refused, she may be moored so long as may be necessary for the despatch of her business, provided there is a vacancy.

15. No vessels can be burned near any wharf between South and Vine-streets, under the penalty of one hundred and fifty dollars.

Sec. 16. The Governor shall appoint and commission a person of good character and competent skill, to be harbour master of the port of Philadelphia, and liable to be removed when he shall think proper, and the said harbour master having first taken an oath or affirmation, and given bond with two sufficient sureties to be approved by the Governor, in the sum of four thousand dollars, faithfully and impartially to perform the duties of his office, shall enforce and superintend the execution of all laws of the commonwealth, and of all by-laws, rules, and regulations of the corporation of the city, or of the wardens of the port of Philadelphia, enacted, ordained, and declared, or hereafter to be ordained, enacted, and declared, for cleaning the docks and wharves of the port of Philadelphia, for preventing all nuisances at the wharves and in the docks aforesaid, by burning or breaching any ships or vessels, or otherwise howsoever, for regulating and stationing all ships or vessels in the stream of the river Delaware; or at the wharves within the boundaries of the city of Philadelphia, for removing from time to time, ships and vessels in order to accommodate and make room for others, or for admitting the river craft to pass in and out of the docks, and for compelling the masters and captains of ships and vessels to accommodate each other, so that ships and vessels arriving from sea, shall for a reasonable time, not exceeding six days, be entitled to berths next to the wharves, until they have landed their cargoes, and for that purpose such ships or vessels as are lading, shall be removed, and take in their cargoes over and across the decks of the ships or vessels lying nearest to the wharves; for directing the paying of ships and vessels when applied to for that purpose, between the north boundary of the city, and Peg's-run, in the Northern Liberties, and the south boundary of the city and Catharine-street in the district of Southwark; and if any master or captain of any ship or vessel, shall refuse or neglect to comply with the directions of said harbour master, in matters within the jurisdiction of his office, or if any person whosoever shall obstruct or prevent the said harbour master in the execution of his duties, such master, captain, or other person, shall for each and every such offence, severally forfeit and pay any sum not exceeding one hundred dollars, to be recovered and appropriated as other forfeitures herein mentioned, are recovered and appropriated by the thirty-sixth section of this act: and the said harbour master shall have authority to appoint and employ a deputy or deputies, to assist in the execution of his office, and he shall, in full compensation for his services, be entitled to have, recover, and receive from the master, captain, owner, or consignee of each and every ship or vessel, arriving at the port of Philadelphia, coasting vessels not exceeding the burden of seventy-five tons excepted, the sum of one dollar for each and every voyage by such ship or vessel performed, and no more.

17. Every person exercising the profession of a pilot in the bay, or river Delaware, shall apply in person to the board of wardens of the port of Philadelphia, for a license; and at least three of the wardens shall examine him as to his fitness, in all respects, to perform the duties of a pilot; and licence all such as they shall deem qualified, according to their respective abilities; those of the first class, to persons capable of piloting ships or vessels of any practicable draught of water; those of the second class, to persons capable of piloting ships or vessels drawing twelve feet water, or under; those of third class to persons capable of piloting ships or vessels drawing nine feet, or under; to be in force for one year from the date of the license, and until the pilots, respectively, shall next after the expiration of the year, arrive with any ship, or vessel, at the port of Philadelphia, and no longer.

But every pilot, delivering up his license, shall be entitled to receive a new one in lieu thereof, giving security, &c. unless it shall appear to the wardens, that the person applying is disqualified from exercising the duties of a pilot.

If any person shall exercise the profession of a pilot, without such license, for after his license shall have expired, he shall forfeit for every vessel he shall undertake to pilot, to or from the port of Philadelphia, the sum of thirty dollars, together with the pilotage to which he would be otherwise entitled, one half to the use of the persons who shall sue for the same, and the other half for the use of decayed pilots, their widows and children.

18. No license of the first class shall be granted to any person, unless previously a licensed pilot, who shall not have served a regular apprenticeship of at least six years to a licensed pilot—of the second class, five years, and of the third class, four years—and all indentures of apprentices to pilots, shall be recorded in the warden's office;—fee twenty-five cents, &c.

No license shall be granted till pilot shall give bond and surety—condition prescribed. No person shall be entitled to a license as a pilot for any branch, without first having, under the immediate inspection of his master, conducted a square rigged vessel, (at least brig rigged) twice up, and twice down the river.

19. Any person licensed as a pilot, who shall for two weeks refuse, or wilfully neglect to execute the duties of a pilot, on due proof thereof, shall forfeit his license.

If any pilot shall enter into any combination, with a view of preventing any other person from executing such duties, and be thereof convicted, he shall forfeit his license for the bay or river Delaware.

If the number of pilots necessary for the port, should be reduced by decease, removal, or otherwise, as to occasion much inconvenience to the trade of the state, the wardens, or any three of them, in such case, may grant certificates to such persons as they may find qualified to act as pilots, for six months, renewable, if occasion require it, subject to the like rules, &c. as other pilots.

21. The pilot who shall first offer himself to any inward bound ship, or vessel, shall be entitled to take charge thereof, if his license authorize him to pilot a ship of such draught of water, and if required, he shall exhibit his license to the master of such ship.—And if the draught of water be greater than he shall be licensed to carry, he may nevertheless, with the consent of the master, take charge of such ship, until a pilot, duly qualified, shall offer; and if such qualified pilot shall offer before such ships shall have passed Reedy island, he shall be received, and the former pilot entitled to pilotage, according to the distance he may have conducted such ship, and the latter to the residue, which shall be ascertained by the master warden.—And the master of such ship shall display the signal for a pilot, heretofore used, until a pilot duly qualified shall offer; and on refusal or neglect so to do, or to receive a pilot duly qualified, the master, owner, or consignee of such ship, shall forfeit and pay the wardens, a sum equal to half pilotage of such ship, to the use of the society for the relief of distressed and decayed pilots, &c. to be recovered, &c.

In all cases when extraordinary services have been rendered by any pilot, the board of wardens, if the parties cannot agree, shall determine the compensation for such services.

The pilot shall inform the master of every vessel he shall conduct to the port of Philadelphia, of the rules and regulations necessary in reporting at the warden's office.

22. The master of any outward bound vessel shall remain twenty-four hours, after his arrival at the capes, to give the pilot an opportunity to be taken out, and on refusal, if it can be done without endangering the vessel, the master shall forfeit and pay to such pilot, his executors, &c. any sum not exceeding eight hundred dollars, to be recovered, &c.

23. If any first rate pilot, having a boat attending him, shall be carried to sea in any ship contrary to his inclination, by stress of weather, or other unavoidable accident, the master, owner, or consignee of such ship, shall pay him the wages the master receives, until his return to the capes, or in case of his death, while absent, to his executors, &c. to the time of his death.—A second rate pilot, the same wages as the first mate receives; and a third rate pilot, the same wages as the seamen receive—but not having a boat attending, then half the said wages.

24. If any inward bound vessel, having a pilot on board, shall be prevented by ice, or other cause, from proceeding to the port of Philadelphia, and shall be compelled to proceed to any other place not in the river Delaware, or bay, he shall receive and recover from the owner or consignee, the full pilotage as if he had conducted the vessel to the port of Philadelphia, and eight cents for each mile he shall travel to his place of abode.

25. Two dollars a day allowed to the pilot of each ship compelled to perform quarantine; and the pilot shall not be discharged in less than six days without his consent.

26. The license of each pilot shall be fifty cents, for the support of the warden's office.

27. The compensation to pilots for conducting ships or vessels from the city of Philadelphia to the capes of Delaware, or from the capes of Delaware to the city of Philadelphia, shall be for every half foot of water which any inward bound vessel shall draw un-

der and up to twelve feet, the sum of one dollar and thirty-three cents; and for every half foot of water which such vessel shall draw more than twelve feet, the sum of one dollar and sixty-seven cents; and for every half foot of water which any outward bound vessel shall draw under and up to twelve feet, the sum of one dollar; and for every half foot of water which such vessel shall draw more than twelve feet, the sum of one dollar and thirty-three cents; to be paid by the owner or consignee of such ship or vessel; and shall also receive over and above the said sums, for every vessel not being registered in the United States, the sum of two dollars and sixty-seven cents; and shall also receive over and above the said sums for conducting all ships or vessels, to or from the city of Philadelphia for ever, between the twentieth day of November and the tenth day of March inclusive, in any year, the additional sum of ten dollars: *Provided*, That no pilot shall have or receive any reward for any supernumerary inches under six, and if any pilot shall be detained by any master, owner, or consignee of any vessel, or by the ice, he shall be entitled to receive from the master, owner, or consignee of such ship or vessel, the sum of two dollars for every day he shall be so detained.

28. Pilots' compensation for conducting dismasted, or crippled vessels, in any wise injured, so as to occasion the pilot any extraordinary care or trouble, shall be double what they would otherwise be entitled to, of which the board of wardens shall judge.

29. Every vessel arriving from, or bound to, any foreign port or place, and every vessel, of the burden of seventy-five tons or more, sailing from, or bound to, any port or place not within the river Delaware, shall be obliged to receive a pilot—The master, within thirty-six hours after the ship's arrival, to report the same, and also when outward bound, and the pilot's name, and fifty dollars penalty on neglect; and half pilotage, on refusal, or neglect to take a pilot, unless no pilot offered before she reached Reedy Island.

30. When any inward bound vessel, having a pilot on board, shall be detained by ice, and conducted by him to a place of safety, the master of such vessel, after being detained forty-eight hours, may discharge his pilot, and the pilot shall receive, and recover full pilotage, as if he had conducted the ship to the port of Philadelphia; and if detained more than forty-eight hours, he shall receive two dollars a day for every day he shall be so detained.

31. If any pilot shall misbehave in the execution of his duty, so that damage shall accrue by reason of his negligence, or incapacity, the person injured may complain to the wardens, who shall appoint a time and place of hearing, due notice being given to the pilot; and on due proof thereof, the wardens may fine such pilot, in any sum not exceeding the amount of the pilotage of the ship so damaged, for the use of decayed pilots, &c. or may suspend the pilot for such time as they may think proper, and the pilot shall deliver up his license, to be kept by the wardens till the time of suspension shall have expired. And the owner or consignee of the ship may recover his damages in any court having jurisdiction.

32. Pilotage is to be recovered before the mayor, alderman, or justice, or in court, according to the amount.

33. Every pilot, who shall pilot any vessel to the port of Philadelphia, shall, within forty-eight hours next after her arrival, report the same to the warden's office, specifying the name of the master, and, to the best of his information, the number of persons on board; and on neglect or refusal so to do, or knowingly making a false report, he shall forfeit and pay for every such offence, twelve dollars, for the use of decayed pilots, &c. to be recovered, &c.

34. If any pilot, endeavouring to assist, or relieve any vessel in distress, shall suffer loss or damage in his boats, sails, tackle, rigging, or appurtenances, the master, owner, or consignee of such vessel, shall pay the value of such loss or damage, to be ascertained by the board of wardens.

By an act passed April 2d, 1804,

The compensation to pilots for conducting vessels which are not registered, but which are the sole property of any citizen, or citizens, of any of the United States, shall be the same that is paid for registered vessels of similar draught of water, whether such unregistered vessel is inward or outward bound, from, or to, the port of Philadelphia.

MARYLAND.

An act to establish Pilots, and regulate their fees, made and passed by the General Assembly of the State of Maryland, at their November Session, 1803.

Whereas it is necessary for the safety and preservation of vessels bound from this state to sea, or coming into Chesapeake bay, and bound up any river of this state, or some port thereof, that able and experienced pilots should be established to conduct and pilot such vessels, for reasonable fees, to their several moorings, and that ignorant and unskilful persons should be prevented from undertaking such pilotage.

Sec. 2. Be it enacted by the General Assembly of Maryland, That James Clarke, John Hollins, Thomas Moore, Thomas Tennant, and Gilbert Middleton, or any three or more

of them, he, and hereby are appointed a board to examine any person who shall desire to be admitted a pilot, he first producing a certificate from the court of the county where he resides, of his honesty and good behaviour, and paying to the said board the sum of four dollars, and to the register of the board, seventy-five cents, and if, upon public examination, the person shall appear to the board of sufficient ability, skill, and experience, they shall grant him one of three kinds of warrants of appointment and license, according to the qualification of such person, thereby authorizing such person for one year from the date of such warrant, either to pilot vessels of any draught of water, or vessels not exceeding twelve feet draught, or vessels not exceeding nine feet draught; and every person receiving a warrant of appointment and license agreeably to this act, shall thereafter be reputed a lawful pilot; but no person shall be entitled to receive a warrant as aforesaid, as a first rate pilot, unless he hath employed himself at least three years in the business of piloting vessels of any draught, or unless he hath served at least four years as an apprentice to the business of piloting; and every pilot shall renew his warrant of license every year, in the month of April or May, and that no renewals shall be granted at any other time, or new license applied for, unless the pilot had been carried to sea, or confined by sickness, so as to prevent his application within that period; and every first rate pilot shall pay two dollars, and every second rate pilot one dollar and fifty cents, and every third rate pilot one dollar, to the register of the board for every renewal; and the board may renew any license or not, as they may think proper.

3. Every member of the said board, before he proceeds to examine any person applying for a warrant as a pilot under this act, shall take the following oath or affirmation, to be administered by any justice of the peace, to wit: "I, ———, do swear, (or solemnly, sincerely, and truly declare and affirm,) that I will impartially examine and inquire into the capacity, skill, and experience of the applicant or applicants, in the art of piloting in the Chesapeake bay, and the rivers thereof, and will admit them as I find them qualified, or reject them, if I shall find them unqualified, without favour, affection, or reward."

4. The said board may make and use a common seal, and alter and renew the same at their pleasure, and may appoint a register, who shall enter in a book to be provided for that purpose, all applications to, and all other proceedings of the said board; and the register shall countersign all warrants for pilots granted by the board, and every such warrant shall be under the seal of the said board.

5. It shall not be lawful for any person to act as a pilot, notwithstanding his having obtained a warrant as aforesaid, unless he, or the company to which he belongs, shall keep one sufficient boat, of twenty-six feet keel, strait rabbit, at the least, and decked and well found, under the penalty of one hundred and fifty dollars for every vessel such person shall undertake to conduct or pilot; and the name of every boat, and the place she belongs to, shall be put on her stern, and on her mainsail and foresail, in large letters.

6. If any person not having a warrant as a pilot, agreeably to this act, shall presume to take upon himself to conduct or pilot any vessel bound from any port in this state, to sea, or coming from sea, and bound up any river of this state, and to any port thereof, every such person shall forfeit one hundred and fifty dollars; and such person shall also be liable for all damages occasioned by his undertaking to conduct or pilot any such vessel, by action at common law; provided that this prohibition shall not extend to prevent any person from assisting any vessel in distress, if such person shall deliver up such vessel to any pilot who shall come on board, and offer to conduct or pilot such vessel, and he shall pay such person one half of the fees received by him for the pilotage of such vessel.

7. No more than six pilots shall be in partnership, under the penalty of two hundred dollars each.

8. Every pilot, on receiving a warrant as aforesaid, shall supply himself, from the register of the board, with a copy of the law, for which he shall pay twenty-five cents to said register, and shall also give bond, with good security, (such as shall be approved of,) in the penalty of five hundred dollars, for the faithful discharge of his duty agreeably to this act.

9. The said board of examiners may make such rules and orders for the government and regulation of pilots appointed and licensed by them, as they may think proper, not contrary to the provisions of this act; and the said board may, by their order, deprive any of the said pilots of their license, or suspend them for a limited time, for breaking such rules or orders, or omitting any thing required by the same, or for acting in any manner contrary thereto: and if any of the said pilots so suspended or deprived, during the time of such suspension or deprivation, shall take upon him to pilot or conduct any vessel, such pilot shall forfeit and pay one hundred dollars for every such offence.

10. For the encouragement of pilots to do their duty, every master of a merchant vessel drawing nine feet water or upwards, coming from sea, shall be obliged to receive the first pilot who offers below the Horseshoe to conduct or pilot his vessel, and shall continue the same pilot to his first port of discharge, or shall pay him half pilotage to the first port; and every master of a merchant vessel of the aforesaid draught of water going to sea,

shall be obliged to receive a pilot to conduct or pilot his vessel, and shall continue the same pilot to the Capes, or pay half pilotage to the Capes to the first applicant; and the master of every vessel, not having a pilot on board, who shall follow another vessel that has a pilot on board, shall pay him half pilotage; and every pilot shall be exempt from militia duty during the time he shall act as pilot.

11. Every pilot cruising or standing out to sea, shall offer his services first to the vessel nearest the land, or in most distress, under the penalty of fifty dollars; and if any pilot, not being hindered by sickness, or other lawful cause, shall refuse to go on board any vessel when required by the master, to execute his office, such pilot shall forfeit and pay one hundred dollars, and in either case, upon complaint and conviction before the board of examiners, such pilot shall be liable to be suspended by them for such time as they shall think fit, and every pilot, on offering his services to the master of any vessel, shall produce and show to such master his warrant of appointment and license, granted him in virtue of this act, under the penalty of ten dollars for every neglect.

12. If any pilot shall negligently or carelessly lose any vessel under his care, and be thereof convicted by due course of law, he shall forever after such conviction, be incapable of acting as pilot in this state, and shall be also liable by action at common law, to pay all such damages as any person shall sustain by such negligence or carelessness; and if any pilot shall run any vessel on shore, he shall not be entitled to any pilotage; and if by negligence, he shall also be liable by action at common law, to pay all damages occasioned thereby.

13. For preventing exorbitant demands for pilotage, no greater reward for pilotage shall be taken than is allowed by this act, to wit: For every vessel from sea to Baltimore city, four dollars, and from said city of Baltimore to sea, three dollars for each and every foot of water she shall draw, and from the mouth of Potomac to Georgetown, and *vice versa*, there shall be an addition of one fifth to the above rates; and so in proportion for any less distance from any other port of this state, to sea, or from sea to any other port of this state, such distance to be fixed by the said board of examiners; but no pilot shall receive any reward or pay for any supernumerary inches under six.

14. Any vessel bound to sea, or to any ports within this state, and under the direction of a pilot appointed under this act, shall touch at Hampton Road, and from any other cause than distress of weather, the said pilot may demand and receive from the master of such vessel the sum of twelve dollars for conducting in any such vessel, and the sum of ten dollars for bringing her out again, and if any vessel bound to sea, or any of the ports above or below the mouth of Severn, shall touch at the port of Annapolis, for any other cause than distress of weather, the pilot may demand and receive from the master thereof the sum of three dollars for every day he is detained with such vessel.

15. To the end that strangers may not be imposed on in the rates of pilotage, as settled by this act, *is it enacted*, That every pilot appointed in pursuance of this act, shall be obliged, when he receives his pilotage, to produce a copy of this act to the master of the vessel or owner, to show that he demands no greater reward than is allowed by this act; and if any pilot shall neglect to show such copy at the time of receiving his pilotage, he shall forfeit and pay twenty dollars, and if he should refuse on request, to produce such copy, he shall forfeit and pay sixty dollars.

16. If any master of any vessel shall carry any licensed pilot to sea against his inclination, such master shall pay to a first rate pilot, thirty dollars per month, if his boat be with him, if not, twenty dollars per month, until his return or death; to a second rate pilot, twenty-four dollars per month, if his boat be with him, if not, sixteen dollars per month, until his return or death; to a third rate pilot, twenty dollars per month, if his boat be with him, if not, twelve dollars per month, until his return or death; and if any master shall carry any licensed pilot to sea against his inclination, when his boat, or any other boat, is ready and offers to take him off, and the same may be done without endangering the vessel, such master shall pay such pilot three hundred dollars over and above the wages aforesaid.

17. Any licensed pilot refusing, on due notice being given him, to aid any vessel in distress, within six leagues of the southward of Cape Henry, or the same distance to the eastward of Cape Charles, or in Chesapeake bay, every such pilot so refusing to aid any vessel in distress, as above required, on proof thereof before the said board, shall be rendered incapable of serving as a pilot.

18. When any pilot taking charge as by this act he is obliged, without distinction of vessels, of such as coming from places exposed to visits of infectious diseases, and which vessels are by law subjected to quarantine, in such case, the pilot thus detained on board shall be entitled to receive, and shall be paid the sum of two dollars per day, in the same manner as for pilotage, while detained under the regulation of the quarantine laws.

19. When any master of a vessel shall give notice to the pilot he shall employ, of the time and place such master shall appoint for his attendance, and such pilot shall attend accordingly, he may demand and take four dollars for every day he shall be detained by such master, not being ready to proceed according to his notice; and if any pilot shall attend, on request of any master, with his boat and hands, he may demand and take

eight dollars for every day his boat and hands shall be detained by such master's not being ready to proceed according to his notice.

20. Every pilot shall, within three months after he obtains his warrant as aforesaid, if possible, take one white apprentice at the least, and employ him constantly on board his boat, instructing him in the art of piloting, and such apprentice shall have freedom dues, and the usual allowance to apprentices at the expiration of their time, and all such apprentices shall be exempt from militia duty during the time of their apprenticeship.

21. No pilot licensed in virtue of this act, shall undertake to conduct or pilot any vessel from sea, and bound to any port of Virginia, unless such vessel is below the Horse-shoe, and no pilot appointed by law of that state, shall be below the Horse-shoe, and shall offer to pilot such vessel, in such case, the pilot from this state shall deliver up such vessel to the first authorized Virginia pilot who shall speak him, and will take charge of the said vessel, and shall demand no reward, provided the legislature of Virginia have made a similar regulation as to vessels from sea, and bound to some port in this state.

22. All contracts made between the master of any vessel in distress, and any pilot, shall be void; but the pilot shall be entitled to a reasonable reward for his aid and services rendered.

23. If any of the said board of examiners shall die, resign, refuse to act, or remove from the said city, or be otherwise rendered incapable to act, the remaining examiners, or a majority of them, shall fill up such vacancy, provided that they shall so regulate their appointments as to have at least one member of the board a person skilled in the business of piloting.

25. All vessels belonging to persons not citizens of any of the United States, which shall hereafter arrive from sea at any port or ports in this state, shall be obliged to take a pilot (in case any one offers) and pay one third additional pilotage in addition to the fees allowed by this act, and if the captain of such vessel shall refuse to take such pilot on application, he shall, notwithstanding, be answerable for, and liable to pay such pilotage, in the same manner as if the service was performed.

26. For an inducement to pilots to pay attention to renew their warrants annually in the months of April and May, in every year, *it is enacted*, That such pilot or pilots, who shall neglect to renew as aforesaid, shall, after the first day of June, in every year, pay double fees for a renewal of their warrants, unless prevented by sickness, or being carried out to sea.

27. The aforesaid board of examiners shall be competent to determine, decide, and adjudge, all and every matter relative to this act, whether penalty or dispute, within three days after application by the complainants.

A further Supplement to the act, entitled, "An act to establish Pilots, and regulate their fees." Passed in 1818.

1. The board of examiners and their register appointed by or in virtue of the act, to which this is a supplement, be, and they are hereby authorized severally to charge and receive fifty per centum, on the amount and addition to the fees to which they are now entitled by law, upon cases disputed before them.

2. It shall not be lawful for any pilot or pilots to charge or receive greater or lesser fees than allowed by law for any services rendered under the act to which this is a supplement, and the several supplements thereto, under the penalty of fifty dollars for each and every offence, to be recovered in the name of the state for the use of the informer, before a justice of the peace; as small debts are recoverable.

3. The warrant or license of any pilot to act as such, granted to him by the said board, or which may hereafter be granted to him, upon his removal out of the state, shall become null and void, the evidence whereof shall be the public declaration of said board to that effect published in two or more of the newspapers printed in the city of Baltimore.

4. No person shall be entitled to a warrant or license as a pilot, unless he shall satisfy the said board, that he has served or been employed at least three years in the business of piloting in the Chesapeake bay.

5. No person shall employ his vessel as a pilot boat, unless he is a licensed pilot, and follows that occupation, under the penalty of fifty dollars for every offence, to be recovered as herein before provided.

6. All American vessels arriving at the port of Baltimore or departing from thence, during the months of December, January, February, and March, shall pay one dollar per foot in addition to the rates now paid; and foreign vessels coming from or going to ports where we are not allowed to trade, shall pay one third in addition to this,

SOUTH-CAROLINA.

Sec. 1. The city council of Charleston shall, on every third Monday in October, or at the next meeting thereafter, elect seven commissioners of pilotage, who shall serve until the next annual election.

4. Whenever any person produceth, to the Intendant of the city, a certificate of the aforesaid tenor from the commissioners of pilotage or a majority of them, the Intendant shall administer to such person the following oath, to which he shall take and subscribe in the Intendant's presence, to wit: "I, A. B. do solemnly swear, (or affirm) that I will well and faithfully, and according to the best of my skill and knowledge, execute and discharge the business and duty of a.....branch pilot for the bar and harbour of Charleston, and that I will at all times (wind, weather, and health permitting) use my best endeavours, to repair on board all ships and vessels, that I shall see, and conceive to be bound for, or coming into, or going out of the port or harbour of Charleston, unless I am well assured that some other licensed pilot is then on board the same. And I do further swear, (or affirm) that I will from time to time, and at all times, make the best despatch in my power, to bring safely over the bar of Charleston every vessel, committed to my care in coming in or going out; and that I will from time to time, and at all times truly observe, follow, and fulfil, to the best of my skill, ability, and knowledge, all such orders and directions, as I shall or may receive from the commissioners of pilotage, relative to all matters or things, that may appertain to the duty of a pilot; and further, that I will not be copartner with any more than one pilot at the same time, in any affair relative or incident to the business, duty, or office of a pilot—So help me God."

5. After any such person hath taken and subscribed the oath or affirmation aforesaid, the Intendant of the city shall direct the city treasurer, to take bond from such person, in the sum of five hundred dollars, if his branch be of twelve feet, or in the sum of one thousand dollars, if it be a full branch, which bond he, together with two sureties to be approved of by the city treasurer, shall give for the faithful discharge of his duties agreeably to this ordinance; whereupon the city treasurer shall deliver to such person a license, referring to his respective branch. And every such license shall be signed by the Intendant, and be of force during the term therein specified, or during such pilot's good behaviour.

6. The commissioners of pilotage shall have power and authority, with the consent of the city council, to order and direct all pilots for the bar and harbour of Charleston, to deliver up their former, and to take out fresh licenses, whenever so required; but no pilot shall be charged with any fee, on receiving a new license as aforesaid. And it shall be the duty of the city treasurer, to lay before the city council, in the first week of December in every year, all the bonds given by pilots, and if council shall not be satisfied with the security of any such bond, every pilot, whose surety or sureties shall then be deemed insufficient, shall give fresh bond, with such sureties, and in such sum not exceeding the amount above stated, and within such time, as shall or may be respectively approved of, demanded, and prescribed, by the city council; in which case such pilot shall receive a fresh license, on surrendering his former license. And every pilot, not complying with these conditions or any of them, shall forthwith forfeit his license, and shall be disqualified, to act as a pilot of the bar and harbour of Charleston for twelve months, and shall afterwards obtain no Pilots' branch, unless he be re-admitted under the same formalities, as one applying in the first instance.

7. The commissioners of pilotage, and a majority of them, shall have power and authority to take away the branch of any pilot, and to declare his license null and void, whenever it shall appear to them, that such pilot has wilfully infringed or violated this ordinance or the orders of the commissioners, or that he hath negligently and carelessly lost any vessel under his care, or that he is labouring under a mental derangement, so as to be incapable of attending to business; or that he is so addicted to the habits of intoxication, as to be unfit to be intrusted with the charge of a vessel. And if any pilot hath forfeited his branch or is no longer entitled to the use of his license, by virtue of this or of the foregoing clause, the commissioners of pilotage shall have power, to order the harbour master, to call on him for the surrender of his license, and if he shall refuse to give up the same to the harbour master upon demand, the latter shall notify for one week in all the public papers of Charleston, that such person has no longer a right to act as a pilot until he be reinstated according to law.

8. No pilot shall absent himself from the port and harbour of Charleston, or shall hire out his pilot boat to any person or persons whomsoever, unless he substitutes another boat, to be approved of by the commissioners of pilotage, in lieu of his pilot boat, when he hires out the latter, and unless he obtain permission from three or more commissioners of pilotage; but the said commissioners shall never give such permission, if there shall be less than three pilot boats in port, actually engaged in the service of pilotage; nor shall any pilot substitute or employ any one, whose branch was taken away, or

whose license became forfeited as aforesaid, until it be again restored him. And every pilot herein in any wise offending, shall for each and every such offence forfeit and pay, to the use of the city, a sum not exceeding one hundred dollars, with costs, and shall moreover be liable to be deprived of his license by the commissioners of pilotage, or a majority of them; and if so deprived, he shall be proceeded against, as provided in the latter part of the seventh clause of this ordinance.

9. In case of war, no pilot shall bring in, or furnish supplies to any armed vessel belonging to an enemy, unless he be constrained by superior force, or shall carry out any such vessel, without being ordered to do so by the constituted authorities of the state.— And every pilot, herein in any wise offending, shall forthwith forfeit his license, and be disqualified for ever after, from acting as a pilot. And if at any time the President of the United States, or the governor of the state, or the city council of Charleston, shall prohibit to furnish with supplies, or to bring in, or to carry out, any vessel or vessels; belonging to any nation or to a subject or subjects of any nation, it shall be the duty of every pilot for the bar and harbour of Charleston, to comply with every such prohibition, on pain of incurring the same penalty and punishment, as for a like offence in time of war.

10. That every pilot, cruising or standing out to sea, shall offer his services first to the vessel nearest the bar, except when he sees a more distant vessel in distress, under a penalty of fifty dollars, with costs, for each and every neglect or refusal, either of approaching the nearest vessel and of boarding her if required, or of aiding any vessel, showing signals of distress in the case above mentioned, which sum he shall forfeit and pay to the use of the city, and beside which fine he shall be also liable to be deprived of his license at the discretion of the commissioners of pilotage: *Provided, however*, that nothing herein contained shall extend, or be construed to extend, to vessels of the description, mentioned in the last preceding clause, all which vessels it shall be the duty of every pilot to avoid as much as possible, whenever they are known to, or justly suspected by him as such.

11. Whenever the governor of the state, or the Intendant of the city, by and with the advice and consent of the city council, shall issue a proclamation, subjecting vessels from certain ports or countries to quarantine, it shall be the duty of every pilot, conducting any such vessel over the bar of Charleston, to bring her to the quarantine ground, and to remain on board or to go to the Lazaretto, without coming up to the city, until the port physician shall permit it; and during the time, for which any such pilot remains on board any such vessel, or stays at the Lazaretto, he shall be allowed four dollars for each and every day of his remaining on board, or staying at the Lazaretto, as aforesaid, and be found in necessary provisions at the expense of the master, owner, or consignee of such vessel. And every pilot, neglecting or refusing to bring any such vessel to the quarantine ground, or coming up to the city, without previously obtaining the port physician's permission, or before the time limited by the said port physician, shall for each and every such offence, forfeit and pay to the use of the city, fifty dollars, with costs, and shall for the same offence be deprived of his license, and not obtain the same again before the expiration of twelve months.

13. The pilot who brought in a vessel, shall have the exclusive right of carrying her out again, unless the master or commander of such shall, within a fortnight after his arrival in port, prove to the satisfaction of the commissioners of pilotage, or a majority of them, that the same pilot had misbehaved, during the time he had charge of such vessel, or unless the same pilot shall have been deprived of his license before the departure of such vessel, in either of which cases a pilot may be employed, who shall be entitled to receive the outward pilotage. And every pilot, having a right, or becoming entitled, to carry out a vessel, shall either attend in person, or procure another pilot of his own degree, to attend for him on such outward bound vessel, after receiving from the master thereof, or from the harbour-master of Charleston, twenty-four hours notice, to be left in writing at the place of his abode; but if such pilot should neither attend in person, nor substitute another pilot of equal degree with himself, the master of such vessel shall be at liberty, after the expiration of the above limited space of time, to employ another pilot of equal branch, who shall be bound, if not previously engaged, to carry such vessel out, and who shall be entitled to the outward pilotage.

14. That any pilot, who shall bear down to a vessel, which may be to the leeward of the bar, and who shall board and offer to take charge of any vessel at the distance of ten leagues from land, shall be entitled to receive, from her master, owner, or consignee, four dollars for every day of his being on board, previous to her coming into port, over and above the fees of pilotage herein established.

15. That every pilot, who shall be directed by the master of an inward bound vessel, to anchor her in the roads, and afterwards to bring her up to the city, shall be entitled to four dollars for such extra service.

16. Every pilot, who brought in a vessel, shall have a right, to demand his fees of pilotage and other lawful charges as aforesaid, before her departure from port, and to refuse to carry her out, if such fees and charges are not duly paid; and no other pilot, having no-

tice of such fees and charges being unpaid to the pilot, who brought in a vessel, shall have a right to carry her out, on pain of being liable to such pilot, for the fees of bringing her in and of carrying her out, as well as for any other charges that may be due such pilot on account of such vessel. And whenever a pilot, entitled to carry out a vessel, is apprehensive, that his fees of pilotage may not be paid by her master or owner or consignee, after he brings her over the bar, he shall have a right to demand his fees in advance, or such security for the payment thereof, as shall be reasonable and satisfactory; and on failure thereof, to refuse to carry her out, in which case also no other pilot shall have a right to carry out such vessel, on pain of being liable to the former pilot for the fees of her pilotage.

17. That, if any white person, or free person of colour, shall repair on board any vessel to the northward or southward of the bar of Charleston, whose master or commander, being at a loss to know where he is, and wishing for instruction, may make a signal or signals for that purpose, and if such person shall give instruction to such master or commander, he shall be entitled to a compensation of five dollars; and if such instructor be desired to continue on board to bring the vessel to the bar, he shall be allowed the like sum for every day, not exceeding two days; and for every subsequent day of his remaining on board such vessel for the purpose aforesaid, he shall be allowed the sum of two dollars, to be paid by her master or owner or consignee; *Provided*, that he doth apply for payment, before the departure of such vessel from the port of Charleston.

18. That no person shall be authorized and permitted, to conduct and pilot any vessel over the bar of Charleston harbour, either when coming into, or when going out of port, unless such person shall have a license, as aforesaid. And every person, not having received such license, or having forfeited the same, or being deprived thereof, as aforesaid, who shall presume to bring into, or to carry out of, the port of Charleston any vessel, which has to cross the bar, as well as every pilot, having a branch of only twelve feet, who shall presume to conduct a vessel, of more than twelve feet draught, over the bar of Charleston, either in coming in or going out, shall not only be entitled to no fee, gratuity or reward for the same, but shall for each and every such offence forfeit and pay, to the use of the city, the sum of one hundred dollars with costs. *Provided however*, that the foregoing prohibition shall not extend, to prevent any person from assisting any vessel in distress, without a pilot on board, if such person shall deliver up such vessel to the first pilot, who shall afterwards come on board, and offer to conduct and pilot such vessel; and *Provided also*, that the captain or crew of a vessel shall not be liable to such fine, for conducting her over the bar without the aid of a pilot.

19. That every master or commander of a vessel, bearing towards the coast or for the bar of Charleston, (coasters excepted) who shall refuse to receive on board a licensed pilot, shall be, and is hereby made liable, on his arrival in the port of Charleston, to pay to the pilot, who first offered, without the bar, to go on board and take charge of such vessel, the same rates and fees herein above established, as if such pilot had actually brought such vessel into port. *Provided however*, that, if a pilot having a branch of twelve feet only is refused by the master of a vessel of greater draught, such master shall not be liable to him for her pilotage; and *Provided also*, that, if a pilot refuse to produce his license to the master of a vessel, when the latter demands it, the fees of pilotage shall not be chargeable against the master, for rejecting the services of such pilot.

20. That every master of an outward bound vessel shall, at the appointed time of his departure, have his vessel in readiness for sailing, and as a signal thereof hoist a jack at the foretopmast head; and every master of a vessel, who shall detain a pilot at the time appointed, so that he cannot proceed to sea, though wind and weather should permit, shall pay to such pilot four dollars per day, during the time of his detention and of his actual attendance on such vessel.

21. That, if any master or commander of a vessel shall carry off any of the pilots for the bar and harbour of Charleston, he shall allow every such pilot two dollars for each and every day during his absence, and supply him with provisions and other necessaries in the same manner, as is usual for the consumption of masters of vessels; and the master, as well as the owner, consignee, and security of such vessel shall be liable for the aforesaid sums. *Provided however*, that no pilot, who is carried off as aforesaid, shall be entitled to any of the sums above mentioned, if such vessel shall have laid to for the space of sixteen hours after crossing the bar, and no pilot-boat shall then appear to receive such pilot on board.

22. That the harbour master shall be bound to keep constantly a complete register of all the pilots for the bar and harbour of Charleston; to affix in some conspicuous part of his office an accurate list of such pilots, placing on one column the names of those who have full branches, and on the opposite column the names of those who have branches of twelve feet; to permit every master of a vessel to inspect and examine the said list; and to furnish every master of a vessel, coming to the harbour master's office, with a copy of this ordinance, for the purpose of perusing it at the said office; without charging, or being allowed to charge, any fee or perquisite for any or either of the aforesaid services.*

*1. *Be it ordained*, That the commissioners of the pilotage be authorized, and full power and authority are hereby given to them, to permit at their discretion, any person to act as a branch pilot, or as a full branch pilot of the bar and harbour of Charleston; they having examined the said person, and made such inquiries respecting him and his qualifications, as to them, the said commissioners, or a majority of them, shall appear necessary and expedient.

2. That the commissioners of pilotage shall give to every person appointed by them, a branch pilot, or a full branch pilot, a certificate of his appointment, signed by a majority of them, or by their chairman, by their direction; which certificate shall be presented by the person appointed to the Intendant, who shall thereupon proceed in the manner directed by the ordinance ratified on the seventeenth day of August, one thousand eight hundred and seven, to regulate the pilotage of the bar and harbour of Charleston: And the person appointed a pilot as aforesaid, having taken the oath, given bond, and performed all that is required by the ordinance aforesaid, shall be to all intents and purposes a pilot of the bar and harbour of Charleston, agreeably to the certificate given by the said commissioners.

Whereas it has become expedient, from recent changes of the bar, that the rates of pilotage should be altered:

†Sec. 1. *Be it ordained*, That from and after the fifteenth day of August next, the master, owner, or consignee of any ship or vessel, for the consideration of the pilotage of the pilotage of the said ship or vessel, inwards to, or outwards from the port of Charleston, shall pay to the licensed pilot, who shall take charge of the same, the several sums of money, rates, and fees respectively, according to her draught of water, at the time of such pilotage, viz:

For	Six feet water or upder,	Eight	Dollars.
Seven	do.	Nine	do.
Eight	do.	Ten	do.
Nine	do.	Eleven	do.
Ten	do.	Fourteen	do.
Eleven	do.	Sixteen	do.
Twelve	do.	Nineteen	do.
Twelve and a half ditto.		Twenty	do.
Thirteen	do.	Twenty-one	do.
Thirteen and a half	do.	Twenty-three	do.
Fourteen	do.	Twenty-five	do.
Fourteen and a half	do.	Twenty-nine	do.
Fifteen	do.	Thirty-one	do.
Fifteen and a half	do.	Thirty-five	do.
Sixteen	do.	Forty-two	do.
Sixteen and a half	do.	Fifty	do.
Seventeen	do.	Sixty	do.

NORTH-CAROLINA.

‡ Sec. 8. When any pilot shall board any vessel at sea, and offer his service to any master of a vessel bound into Occacock Inlet, he shall be entitled, although the master of such vessel shall refuse to employ him, to the same fees which he would have been entitled to if he had taken charge of the said vessel, and the master shall be obliged to pay the same accordingly; and if any ship or vessel coming into the said inlet of Occacock, and taking a pilot on board, shall be, by contrary winds or otherwise, drove off the coast, the master or owner of such vessel shall allow and pay the said pilot 3s. 6d. per day for each and every day he shall be on board the said vessel, over and above his pilotage.

9. When any branch pilot shall see any vessel on the coast having a signal for a pilot, and shall neglect or refuse to go to the assistance of such vessel, on proper proof being made of such neglect or refusal, shall forfeit and pay the sum of twenty pounds, specie, to be recovered by action of debt in any court of record in this state, the one half to the informer, and the other half to the master or owner of the said ship or vessel.

† Sec. 5. The commissioners, or a majority of them, in each respective port, shall have full power and authority to examine pilots, touching their qualification, and upon their approbation to grant them certificates to pilot vessels into the aforesaid ports, and shall annex to the branch or certificate of every such pilot, a copy of the fees allowed them by this act, and also a copy of this clause: and in case any person shall attempt to pilot or

take charge of any vessel without having obtained a certificate for so doing, and also giving bond in manner as is directed in an act, 1783, c. 20, shall forfeit and pay for each and every offence, one hundred pounds, to the use and benefit of any person suing for the same.

* Sec. 2. The commissioners of the pilotage for the bars and river of Cape-Fear, on approving any such person to be a pilot, shall give to such person a commission under their hands and seals, to act as a pilot for the bars or rivers according as they shall find him qualified.

3. Every such person shall, before he obtains a branch or commission to be a pilot, give bond, with two sufficient securities, to the governor or commander in chief for the time being, and his successors in office, in the sum of £250, with condition for the due and faithful discharge of his office; which bond shall be lodged in the secretary's office, in trust for such person or persons, as shall appear to be injured by such pilot, and shall be assigned to any person applying for the same.

9. When any pilot shall have notice from the master of any vessel or other person in his behalf, to attend in piloting such vessel, and shall not go on board for that purpose without delay, he shall forfeit and pay the sum of five pounds, unless he shall, at the time of such notice, have the actual and personal charge of some other vessel, for each and every day's delay of the vessel of which he had notice to attend by reason of such pilot's neglect, to be recovered by warrant under the hand of any one of the commissioners, on oath being made of the fact, (which oath any of the commissioners may administer,) and shall be paid to the master or owner of the vessel so detained or delayed.

10. If the master of any vessel shall send for or take on board any pilot to conduct such vessel from her station to any other place in the said river, and shall afterwards neglect or delay to remove such vessel (wind and weather permitting) such master shall pay unto the pilot attending, ten shillings for each and every day he shall be so detained; and if any vessel which shall be boarded by a pilot, without the harbour, should happen to be blown off to sea by violence of the weather, the pilot on board such vessel shall also be entitled to receive from the master thereof, ten shillings for every day he shall be at sea, until the said vessel shall be brought into port, which sum such master shall pay.

11. If any person, not authorized as a pilot for Cape Fear, in manner by this act directed, shall assume and take upon himself the office of pilot, and shall bring or attempt to bring into said river any vessel whatsoever, he shall forfeit and pay twenty pounds, recoverable by action of debt, one half to him who shall sue for the same, the other half to the commissioners for improving the navigation of the said river. Any person may conduct into the port of Brunswick any vessel in danger from distress of weather, or in a leaky condition.

12. When any master of a vessel shall refuse a pilot to come into or up the said river, or in any part of the said river, to go out of either of the inlets, such pilots, so refused, shall be entitled to full pilotage in the manner as he would have been had he been actually employed for the purpose of piloting such vessel.

14. When any branch pilot shall see a vessel on the coast, having a signal for a pilot, or shall hear a gun or guns fired off the coast, and shall refuse or neglect to go to the assistance of such vessel, such pilot shall, on conviction, forfeit and pay twenty pounds, to be recovered by action of debt in any court of record, one half to the informer, the other half to the master of such vessel.

15. If any branch pilot of Cape Fear river, shall knowingly suffer any kind of ballast or trash to be thrown out of any vessel into any part of the channel of the said river, and shall not, within ten days after the commission of such offence, make information thereof to one or more of the commissioners of pilotage, such pilot shall, upon conviction, be for ever rendered incapable of acting as a pilot for said river, or any part thereof.

23. In all bonds taken from masters of vessels by virtue of an act entitled "An act for the entering vessels, and to prevent the exportation of debtors," there shall be the further following conditions added thereto, that is to say, That the master giving such bond shall not transport or carry off any slave or slaves, servant or servants belonging to any inhabitant of this state, and shall not depart the port without paying pilotage according to law; and in case the breach of the condition of such bond, or any part thereof, the master and his securities shall be liable in the same manner as they would have been had the additional condition not been added.

25. The commissioners of the pilotage and navigation of Cape-Fear river, for the time being, shall have authority in all matters that may concern the navigation of the said river from Negro-Head Point downwards, and out of each of the inlets; and with respect to throwing trash in the river at the town of Wilmington, and the contraction of wharves, shall have a concurrent jurisdiction with the commissioners of the town of Wilmington; and the commissioners of the pilotage and the commissioners of the said town, shall con-

sult together upon the best method of preventing any injury being done to the channel by wharves or otherwise, opposite to the said town; and until a fund can be established for the payment of a harbor-master, the commissioners of pilotage, or such of them as reside in the town of Wilmington, shall decide all disputes about the mooring of vessels, and other matters which properly fall within the department of a harbor-master.

* Sec. 1. The commissioners of navigation and pilotage of Cape-Fear river, or a majority of them, may make and establish such regulations and ordinances, not inconsistent with the constitution, and not otherwise provided for by law, as to them shall seem necessary from time to time, and for the enforcement of such ordinances, may annex such fines to any breach thereof as they shall deem adequate to the offence. No such fines shall exceed the sum of one hundred pounds.

3. The number of bar pilots for the river aforesaid shall be reduced to four, and any two of them, and no more, may enter into partnership together; and the number of river pilots shall be increased to six, who may by no means enter into partnership with each other.

4. Each and every pilot of said river shall keep at least one apprentice, and instruct him in the art and mystery of a pilot; and each of the said pilots may keep two apprentices and no more, which said apprentices, upon being authorized by a majority of the said commissioners, may pilot any vessel which their several masters are entitled to pilot, for the behoof and emolument of their said masters, without let or molestation, subject however to the same regulations as the said pilots are.

5. The said bar pilots shall take vessels over the bar of Fort Johnson only, and from the said fort to sea; and the river pilots shall take vessels from the said fort to Wilmington, and back again to the fort.

†Sec. 4. The said commissioners shall order and direct the pilots for the bar, or the new inlet, under pain of removal from office, to provide, in a certain convenient time, at least one good decked pilot boat, sufficient to venture out and keep the sea in blowing and rough weather. Any pilot of either of the bars of Cape Fear river, possessed of such sufficient boat, neglecting or refusing going out to the assistance of vessels off the coast or harbour, when vessels, in general, can go out with safety, or who shall refuse or neglect in more moderate weather to go out to such vessels in whale-boats, or other undecked boats, upon due proof being thereof made before the commissioners, shall be removed being a branch pilot.

5. Each bar pilot shall within such convenient time as the commissioners shall direct, furnish himself with a good telescope or spy-glass, under such penalty as the commissioners shall think proper; and such spy-glass shall always be taken in the boat when the pilot goes out to sea.

‡Sec. 1. From and after the passing of this act, all pilots legally authorized to take charge of vessels to bring in over Occacock bar, or up to either of the ports of Newbern, Washington, Edenton, or Camden, shall be entitled to demand and receive from the commander of such vessel as they may have had charge of, the following pilotage, to wit:—For every vessel or vessels drawing any draught of water under eight feet, from the outside of the bar, into Beacon island road or Wallace's channel, at the option of the commander, five silver dollars; and for every ship or vessel that draws eight feet water or more, and under twelve feet, five-eighths of a dollar per foot; and for every ship or vessel drawing twelve feet water or more, one dollar per foot; and the same fees out over the bar as in; and for every ship or vessel over either of the swashes, two dollars; and for every ship or vessel from the mouth of the swash to either of the ports of Newbern or Washington, drawing any draught of water, one dollar per foot; and for every ship or vessel from the mouth of the swash to the port of Edenton, twelve dollars, and to the port of Camden, ten dollars; and the same allowance down as up.

2. If a branch pilot shall go off to any vessel bound in, and offer to pilot her in over the bar of Occacock, the master or commander of such vessel, if he refuses to take such pilot, shall pay and satisfy to such pilot, if not previously furnished with one, the same sum as is allowed by law for conducting such vessel in, provided his vessel shall be above forty tons burthen.

‡ Sec. 3. The commissioners of pilotage for Cape-Fear, shall have power, and they are hereby authorized and required to determine and make known, on the twenty-third day of January next, and thereafter as occasion may require, to the pilots of the Main and New Inlet bars, how many decked boats are necessary for the attendance on them respectively; in each of which decked boats any number of said pilots, not exceeding three, may act and be concerned as partners or joint owners: and such of the pilots who shall first provide themselves jointly or severally with proper decked boats to be produced to and approved of by the commissioners, shall be entitled thereafter, and as long as they keep such boat or boats in constant repair, and use the same in attending the said bars, an advance of fifteen per cent. upon the above rates; and if any of the said

pilots who have furnished himself or themselves with one or more good sufficient decked boats, shall fail, neglect, or refuse to keep such his or their boat or boats in constant repair, and to make use of the same in attending the said bars respectively, it shall not be lawful for such pilot or pilots to ask, demand, or receive the above-mentioned advance; and should they or either of them, in case of such neglect or refusal, ask or receive the advanced rates, be or they shall for the first offence, forfeit and pay double the rates asked or received, and for the second offence be suspended by the said commissioners; all of which penalties before mentioned, shall and may be recovered before any jurisdiction having cognizance thereof, to the use of the person suing for the same.

4. The said commissioners may raise the rates herein established for the Main and New Inlet bars, and heretofore established for the river, as much as in their judgment shall appear proper and necessary, paying due regard to and making the distinction herein directed, of fifteen per cent. or as much more within the bounds hereinafter mentioned, between those keeping and using decked boats and those failing or neglecting so to do: provided, such increase of rates do not exceed thirty-three and one third per cent. on the rates of river pilotage heretofore by law established, and on the rates of pilotage by this act established for the Main and New Inlet bars: And provided always, that no bar pilot whatever shall be considered as obliged to take charge of any vessel outward bound, in order to pilot her over either of the said bars, until the pilotage for which such pilot might or would be entitled to for such service, be previously paid him, or satisfactory security for the payment thereof be given him.

5. When the commissioners of navigation for Cape-Fear shall make any alteration in the rates of pilotage, they shall cause such rates to be set up in the office of the collector of the port, and shall also cause the same to be certified under their hands and annexed to the several pilot's branches.

* Sec. 1. From and after the first day of January next, the pilots now having branches or commissions, or who may hereafter have branches or commissions to pilot over the Main bar or New Inlet bars of Cape-Fear river, shall be entitled to pilot and navigate vessels into port over either bar, and the pilot who shall bring a vessel into port over either bar, shall be entitled exclusively to navigate the same vessel out of port over either bar. Provided always, when any vessel shall be ready to go out of port, and such pilot so exclusively entitled, does not attend to navigate the said vessel out of port, the captain or master of such vessel may employ any other pilot to navigate such vessel out of port; provided such other pilot so by the captain or master to be employed, shall be a branch or commissioned pilot for the bar over which such vessel is to be navigated out; and every pilot who shall navigate a vessel out of port contrary to the meaning of this act, shall for every such offence forfeit and pay the sum of nineteen pounds, to be recovered before any jurisdiction having cognizance thereof, to the use of the pilot or pilots who by this act would have been entitled to navigate said vessel or vessels out of port; any law, usage, or custom to the contrary notwithstanding.

2. If any pilot of Cape-Fear shall bring any vessel beyond the place fixed and limited; or to be fixed and limited by the said commissioners of navigation, without a certificate of the health officer, declaring that there is no danger to be apprehended from any contagious or infectious disease on board such vessel, such pilot shall forfeit his branch or commission, and from thence afterwards be held and deemed incapable to act as a pilot in any port of this state.

† Sec. 1. All pilots legally authorized to take charge of vessels to bring in over Occa-cock bar, or up to either of the ports of Newbern, Washington, Edenton, or Camden, or offering to take such charge, if no other authorized pilot is on board said vessel, shall be entitled to demand and receive from the commander of such vessel or vessels as they may have charge of, the following pilotage, to wit:—For every vessel or vessels not belonging to the state of North-Carolina, provided such vessel or vessels be above forty tons burthen, from the outside of the bar, at any distance within the limits of pilot ground to Beacon Island Road or Wallace's Channel, if drawing less than eight feet water, seven dollars; and for all vessels drawing eight feet and less than ten feet, one dollar for every foot; and for all vessels drawing ten feet or upwards, one dollar and fifty cents per foot; and two dollars for each vessel over either of the Swashes; and from the Swash Straddle to either of the ports of Newbern or Washington, one dollar and fifty cents per foot; and from the Swash Straddle to Edenton, fifteen dollars, and to Camden, twelve dollars and fifty cents, and the same allowances down and out, as in and up; any laws, usage, or custom to the contrary notwithstanding.

‡ Sec. 2. From and after the passing of this act, if any slave or slaves shall, with the knowledge or consent of his or their owner, and not accompanied by a pilot, go off to any ship or vessel for the purpose of bringing such ship or vessel over any bar or inlet of this state, or shall pilot any such ship or vessel out and over any bar or inlet, the owner of such slave or slaves shall forfeit the value of such slave or slaves, to be recovered in any court having cognizance thereof, one half to the person suing for the same, the other half to the use of the county wherein the owner resides.

GEORGIA.

An Act to regulate the Pilotage of Vessels to and from the several ports of the State of Georgia.

Any person or persons acting, or pretending to act, as a pilot or pilots, without having proper authority, shall, for every such offence, be subject to a fine, not exceeding one hundred dollars, at the discretion of the commissioners of the port.

In case any damage, dispute, complaint, or difference, shall happen, or arise, or be made against or between any master or pilot for or concerning the pilotage of any ship or vessel, or any other matter, incident or relative to the care of a pilot, in any of the said harbours, all such damages, disputes, complaints, differences, (when the claim does not exceed one hundred dollars) are hereby ordered to be heard and determined by the commissioners appointed for the care of the pilotage, where such damage or dispute shall happen, who shall decide, adjust, and regulate, every such damage, dispute, complaint, or difference, and if either of the said parties, master or pilot, shall refuse to abide by the decree, order, or other adjudication, of the said commissioners, the party so refusing shall be subject, in addition to the former award, to the penalty of not exceeding one hundred dollars.

If any ship or vessel whatsoever, or the cargo and freight therein contained, shall happen to receive any damage or miscarriage, or be lost, through the neglect, insufficiency, or default of or in any of the pilots for any of the said harbours, after such pilot takes charge of the same, and the claim exceeds one hundred dollars, the said pilot shall, in such case, be obliged to make good to the sufferers, or to the master of such vessel, all the damages and losses which he or they should sustain through the said pilot's neglect or default.

If any person, master, or commander, that shall bring any vessel to any of the bars of the coast of any of the said harbours, and shall refuse to receive on board any warranted or licensed pilot, the said person, so refusing, and afterwards bringing in the said vessel into any of the ports aforesaid, shall, and is hereby made liable to, pay the pilot first offering to come on board such vessel without the bar, to take charge thereof as pilot, the same rates, dues, and payments, as are customary.

The master of any vessel, for the consideration of the pilotage of the said vessel inward to, or outward from, any of the ports or harbours aforesaid, shall pay unto the licensed pilot that shall take charge of the same, the several sum and sums of money, rates, and prices, as are established by the board of commissioners; and if any licensed pilot shall ask or demand more fees for his services than is specified in the rates of pilotage, on due proof thereof before the commissioners, he shall forfeit double the amount of such vessel's pilotage.

To encourage, as much as may be, pilots to attend the bars, all and every licensed pilot, bringing any vessel safe from sea, shall have the preference of bringing such vessel up and down the river, and to sea again, provided they give their attendance, and are duly qualified; and, if any master or owner of any vessel in the port, employ any other pilot to carry his vessel down the river or to the sea, but the pilot who brought her in, or one belonging to the same boat, unless good and sufficient cause shall appear therefor, shall be liable to a fine not exceeding one hundred dollars, one half to the pilot claiming the pilotage of the vessel; but should such pilot neglect or refuse to attend and carry down said vessel, when ready for sea, (wind, weather, and tide permitting,) and be thereunto required by the master, owner, or consignee, shall, on conviction thereof, forfeit the upper pilotage of such vessel, and be liable to a fine not exceeding one hundred dollars; and every pilot acting on board such vessel where he has no right, shall be liable to the same penalty, provided the commissioners have not sufficient evidence of the necessity of his acting.

All and every pilot, in any of the harbours aforesaid, when he has brought any vessel to anchor in any of the aforesaid harbours, shall and is hereby directed and required to moor such vessel, or to give proper directions for the mooring of the same, and for their safe riding at such mooring.

If any pilot or pilots, belonging to any port in this state, shall meet at sea with any vessel or vessels bound to another port within the same, such pilot or pilots shall, if capable and thereunto required, take charge of, and pilot the same into such port, and shall be paid two dollars per day for every day such pilot shall be on board such vessel at sea without the bar, over and above the usual rates of pilotage: and no other pilot shall interfere while the first is willing to continue his services.

All vessels entering and clearing within this state, shall pay the several rates of pilotage, if a licensed pilot is offered, except the common coasting vessels to and from Charleston, and they shall pay half pilotage up, if a pilot is offered without the bar, if they take no pilot, and whole pilotage if they take one; any law, custom, or usage, to the contrary

notwithstanding; but vessels coasting from one port to another within the state shall not be liable to pay pilotage, unless a pilot is required to act on board.

There have been instances of captains of vessels refusing to pay the pilots, agreeably to rates, after getting to sea, in which case the said pilots have no remedy: the captains of such vessels as have no owner or consignee in the port, shall be obliged, if requested by the pilot acting on board, to give security for the faithful payment of the pilotage before said vessel leaves such port.

LOUISIANA.

Pilotage from sea to the Block-house at the Balize, a distance of about three miles, is two dollars per foot for the vessel's draught of water. At the place of the Block-house the pilots live and leave the vessel; and there outward bound vessels take pilots, and pay the same pilotage as inward. No pilots are appointed for the river, and no regular pilotage is established. Few vessels except foreigners take any; it is better to be without them. The Balize pilots take vessels up the river if desired, and have what they can agree for with the masters, if they can get it. Besides the pilotage per foot, a pilot is entitled to two dollars per day, for every day that he may be detained on board any vessel by the master, waiting for a fair wind or otherwise. Any master of a vessel who refuses to take a pilot when one offers, pays half pilotage; provided, that nothing is payable by any vessel employed between New-Orleans and any other port in this territory, for refusing to take a pilot. If any person not duly appointed, pilot a vessel in or out of the Mississippi, when a branch or deputy pilot offers, he is fineable twenty dollars. Any pilot who is taken off to sea through the default of the master of the vessel, is entitled to mate's wages until his return to New-Orleans.

Sec. 19. It shall be lawful for every branch or deputy pilot aforesaid, to ask and receive pilotage from any person who shall employ him to pilot any ship or vessel from sea to within the bars at the mouth of the Mississippi; and shall, if required for their safety, moor such vessel, and likewise from every person who shall employ him to pilot any ship or vessel from within the river Mississippi, to the eastward and southward of the said bars, so far that the said vessel may with safety proceed to sea, at the rate of two dollars for every foot such ship or vessel shall draw.

20. For every day which any pilot aforesaid shall be required to remain or be detained on board any ship or vessel by the master thereof, waiting for a fair wind or otherwise, he may demand and receive two dollars; provided, however, that nothing shall be demanded or received from the master or owner of any vessel employed between the port of New-Orleans and any other port in this territory, for refusing to take a pilot.

17. If the master of any ship or vessel coming to New-Orleans, shall refuse to receive on board and employ a pilot, the master or owner of such ship or vessel, shall pay to such pilot who shall have offered to go on board, and take charge of the pilotage of such vessel, half pilotage.

7. If any person not appointed as this act directs, shall pilot any ship or other vessel either into or out of the river Mississippi, when a branch or deputy pilot offers, he shall forfeit and pay the sum of twenty dollars.

16. The master or owner of any ship or vessel appearing in distress and in want of a pilot on the coast, shall pay unto such branch or deputy pilot, who shall have exerted himself for the preservation of such ship or vessel, such sum for extra services, as the said master or owner and pilot can agree on; and in case no such agreement can be made, the master and wardens of the port, or any three of them, shall determine what is a reasonable reward, and the sum so determined by them, shall be collected in the manner by this act directed for the collection of pilotage.

N. B. No master or warden is allowed to be interested, directly or indirectly with the pilots.

18. If any vessel going out of the river Mississippi, shall carry off to sea, through the default of the master or owner of such vessel, any pilot or deputy pilot, when a boat is attending to receive such pilot or deputy pilot from on board such vessel, the master or owner of such vessel shall pay to the master and wardens of the port of New-Orleans, besides the pilotage of such vessel, the like wages per month until he shall return to the port of New-Orleans, as the monthly wages allowed to the mate of such vessel: provided, that such pilot shall have performed the duties required of him by this act; and if any money shall have been paid by the master, or owner, or factor of such vessel, the same shall be deducted from the money to be paid to the master and wardens, for the use of such pilot.

21. It shall and may be lawful for any branch pilot to appoint and employ deputy pilots under him, without the certificate required by the seventh section of the said act; and that such deputies may execute the duties of the office, without giving the security required by the tenth section of the said act: always provided, that each branch pilot

shall be answerable for the neglect or misconduct of any deputy, appointed by, and acting under him.

10. Every branch pilot and deputy pilot hereafter to be appointed, before he takes upon himself the execution of his office, shall enter into a recognizance to the government of this territory, with two sufficient sureties, to be approved of by the master and wardens aforesaid, each branch pilot in the sum of one thousand dollars, and each deputy pilot in the sum of two hundred and fifty dollars, with condition that he shall diligently and faithfully execute the trust reposed in him as a pilot, or deputy pilot, (as the case may be,) according to the direction of this act, and such rules and orders as shall be given him in pursuance thereof; and every such recognizance, if forfeited, may, at the request of any person aggrieved, to be prosecuted in any court of the said city or territory, having cognizance thereof, to judgment and execution as in other cases, and the amount of such recognizance when recovered, shall, by an order of the court in which the same is recovered, be paid to the said master and wardens; and the said master and wardens, or any three of them, shall, in such case, and also at any time after suit brought on such recognizance, if required by any party interested therein, examine into and ascertain the damages sustained by the persons so aggrieved, and shall apply the moneys so to be received, or as much as shall be requisite, to pay the damages so ascertained, and shall make report in writing, to the court in which such recovery shall be had, of the damages so ascertained and paid: provided, however, that if the branch or deputy pilot so offending, shall, before judgment is obtained on his recognizance aforesaid, pay to the party aggrieved, the damages to be ascertained by the said master and wardens in manner aforesaid, with the costs of suit; the suit on such recognizance shall be discontinued.

CHAPTER XXI.

QUARANTINE LAWS.

By an act of congress, passed February 25, 1799, respecting quarantine and health laws, it is provided that, the quarantines and other restraints, which shall be required and established by the health laws of any state, or pursuant thereto, respecting any vessels arriving in, or bound to, any port or district thereof, whether from a foreign port or place, or from another district of the United States, shall be duly observed by the collectors, and all other officers, of the revenue of the United States, appointed and employed for the several collection districts of such states respectively, and by the masters and crews of the several revenue-cutters, and by the military officers, who shall command in any fort or station upon the sea coast; and all such officers of the United States shall be, and they hereby are, authorized and required, faithfully to aid in the execution of such quarantines and health laws, according to their respective powers and precincts, and as they shall be directed from time to time by the secretary of the treasury of the United States. And the said secretary shall be, and he is hereby, authorized, when a conformity to such quarantines and health laws shall require it, and in respect to vessels which shall be subject thereto, to prolong the terms limited for the entry of the same, and the report or entry of their cargoes, and to vary or dispense with any other regulations applicable to such reports or entries: provided, that nothing herein shall enable any state to collect a duty of tonnage or impost, without the consent of the congress of the United States thereto: and provided that no part of the cargo of any vessel shall, in any case, be taken out, or unladen therefrom, otherwise than as by law is allowed, or according to the regulations herein after established. When, by the health laws of any state, or by the regulations which shall be made pursuant thereto, any vessel, arriving within a collection district of such state, shall be prohibited from coming to the port of entry or delivery, by law established for such district, and it shall be required or permitted by such health laws, that the cargo of such vessel shall, or may be, unladen at some other place within, or near to, such district, the collector authorized therein, after due report to him of the whole of such cargo, may grant his special warrant or permit for the unloading and discharge thereof, under the care of the surveyor, or one or more inspectors, at some other place where such health laws shall permit, and upon the conditions and restrictions which shall be directed by the secretary of the treasury, or which such collector may, for the time, reasonably judge expedient for the security of the public revenue: provided that, in every such case, all the articles of the cargo, so to be unladen,

shall be deposited, at the risk of the parties concerned therein; in such public or other warehouses or inclosures, as the collector shall designate, there to remain under the joint custody of such collector, and of the owner or owners, or master, or other person having charge of such vessel, until the same shall be entirely unladen or discharged, and until the goods, wares, or merchandise, which shall be so deposited, may be safely removed, without contravening such health laws; and when such removal may be allowed, the collector having charge of such goods, wares, or merchandise, may grant permits to the respective owners, or consignees, their factors or agents, to receive all goods, wares, or merchandise, which shall be entered, and whereof the duties accruing shall be paid or secured according to law, upon the payment by them of a reasonable rate of storage; which shall be fixed by the secretary of the treasury for all public warehouses and enclosures.

There shall be purchased, or erected, under the orders of the President of the United States, suitable warehouses, with wharves and enclosures, where goods and merchandise may be unladen and deposited, for any vessel which shall be subject to a quarantine, or other restraint, pursuant to the health laws of any state as aforesaid, at such convenient place or places therein, as the safety of the public revenue, and the observance of such health laws, may require.

When, by the prevalence of any contagious or epidemical disease, in or near the place by law established, as the port of entry for any collection or district, it shall become dangerous or inconvenient for the collector and the other officers of the revenue, employed therein, to continue the discharge of their respective offices at such port, the secretary, or in his absence, the comptroller, of the treasury of the United States, may direct and authorize the removal of the collector, and the other officers employed in his department, from such port, to any other more convenient place, within, or as near as may be, to such collection district, where such collector and officers may exercise the same authorities, and shall be liable to the same duties, according to existing circumstances, as in such lawful port or district; and of such removal, public notice shall be given as soon as may be.

[As the above law of the United States refers to the several health laws of the different states, great pains have been taken to procure copies of them, part of which have been obtained.]

NEW-HAMPSHIRE.

By an act passed February 3d, 1789, it is declared that,

Sec. 2. Whenever any ship, or other vessel shall arrive in any port in this state, having any person on board infected with the plague, small-pox, pestilential or malignant fever, or shall have been so infected during the voyage, or having on board any goods which may reasonably be apprehended to have any infection of such diseases, it shall be the duty of the master or commander of such ship or vessel to give immediate information thereof to the selectmen of Portsmouth, and it shall be the duty of the selectmen of Portsmouth, upon information of the arrival of such ship or vessel, and they are hereby empowered immediately to take such prudential methods and precautions as to them appear necessary, to prevent the spreading of such infection, and may order and appoint the distance at which such ship or vessel shall lie from the shore, and shall have power to remove the same at the expense of the owner or master, if the master or commander shall refuse or neglect to remove after receiving from said selectmen an order therefor—and the said selectmen are hereby further empowered to forbid or prevent any person coming on shore from such ship or vessel, or any goods being landed from the same until such precautions be taken as the public safety may to them appear to require. And if the commanding officer of any ship or vessel, shall suffer any person or thing to be put on shore without permission first obtained therefor, under the hands of the said selectmen, or a major part of them, he shall forfeit and pay the sum of four hundred dollars, to be recovered and appropriated as in the aforementioned act is provided for the recovery and appropriation of forfeitures.

3. If any person come on shore from any such ship or vessel without such liberty, any justice of the peace may cause such person to be confined in such proper place as the selectmen aforesaid may appoint, for a term not exceeding thirty days, at his own expense, to be recovered by them, by action of debt in any court proper to try the same.

4. The said selectmen shall have full power to seize and keep any goods landed from such vessel, without such leave, until they shall cause the same to be cleansed at the expense of the owner of such goods—and if the owner neglect to pay such expense, the selectmen shall have power to sell so much of the goods as will defray the reasonable charges of seizing, keeping, and cleansing the same.

6. Whenever any ship or vessel shall arrive at the port or harbour of Portsmouth, after the fifteenth day of May, and before the first day of November in any year, from any country, place or port, subject to the yellow fever, or any malignant pestilential contagious disorder, or where the yellow fever, or any malignant contagious disorder is usually or often prevalent, it shall be the duty of said health officers or any one of them immediately to examine into the state and circumstances of such ship or vessel, and if it shall be the opinion of said health officers, or any two of them, that such ship or vessel, her cargo, or any person on board of the same is infected with any such malignant contagious disorder, and that her coming to, or remaining at, or near any of the wharves, or compact parts of said town, would be injurious or dangerous to the health of said inhabitants, it shall be the duty of said health officers, or some two of them, by a writing under their hands, to order and direct the owner or owners, master or commanding officer of such ship or vessel, to remove such ship or vessel to some place of safety, not exceeding three miles distance from said town, in such order to be specified, there to remain to cleanse and purify such ship or vessel and her cargo, for such a term and space of time not exceeding thirty days, as shall be limited and specified in such order—and in case the owner or owners, master or commanding officer of any such ship or vessel, shall disobey or neglect to perform and comply with such order, or shall move or bring such ship or vessel, or any part of her cargo, or any article on board of such ship or vessel, or permit, or suffer the same to be moved or brought on shore before the expiration of the time limited and specified in such order, without having previously obtained permission in writing to do the same from two of said health officers, or from a majority of the selectmen of said town, such owner or owners, master or commanding officers so offending, shall forfeit and pay to said town, a sum not exceeding two thousand dollars, which may be recovered with costs in an action in the name of said town, to be prosecuted by said health officers, in any court proper to try the same: and if the owner or owners, master or commanding officer of any such ship or vessel, shall neglect to remove the same agreeable to such order, or having removed the same, shall again, before the expiration of the time limited and specified, bring such ship or vessel, or cause the same to be brought to or near any wharf in said town, or near any compact parts of said town, without having previously obtained such permission therefor, as is herein above provided, the said health officers, or some two of them, taking with them sufficient assistance, shall remove such ship or vessel to the place specified in said order, there to remain at the risk of the owner or owners, until the expiration of the time in such order limited and specified—and the expense of removing such ship or vessel, and keeping the same, may be recovered against such owner or owners, master or commanding officer, with double costs, in the same way and manner as is in this act provided for recovering the expense of removing or destroying nuisances and putrid substance or matter.

An act in addition to an act, entitled, "An act empowering the inhabitants of the town of Portsmouth to appoint Health Officers, and for preventing nuisances in said town."

Whereas the provisions of said act are, on experience, found not fully to answer the salutary purposes contemplated thereby; Therefore,

Sec. 1. Be it enacted by the senate and house of representatives, in general court convened, That the health officers now in office, and those who may be hereafter chosen, according to the directions of the act aforesaid, shall have power, and they are hereby authorized and empowered, from time to time, and as in their judgment the health and safety of the said town and of the people may require, to make such rules and regulations, to have effect within the limits of said town and port, as to them shall appear necessary for those purposes; also for removing and preventing nuisances; which rules, orders, and regulations, being approved by two or three justices of the peace, one of whom being of the quorum, shall be binding and strictly observed within the town and port of Portsmouth. And if any person or persons shall disobey or violate the rules, orders, and regulations, of said health officers, so made and approved, at any time after three days from the publication of the same in two of the newspapers printed in said town, such person or persons shall forfeit and pay the sum of ten dollars, to be recovered by the said health officers before a justice of the peace, not being a party, for the use of said town.

And the said health officers shall have power, and power is hereby given them, to make orders and regulations, from time to time, respecting quarantine, in what cases it shall be performed by vessels arriving in said port, naming the ports or places from which all vessels arriving in said port, naming the ports or places from which all vessels arriving, ought to be subject to quarantine, and by other orders to take off this subjection or restriction, when in their opinion the safety of the town and people will admit of it. And all their orders and regulations respecting quarantine made, approved, and published as

aforesaid, shall be of force; and they are hereby required and empowered, to cause such vessels and all others having infection or contagious sickness on board, or justly suspected of endangering the health of the town, to perform quarantine, under such restrictions and regulations as they may judge expedient. And any owner, master, supercargo, officer, seamen, consignee, or other person concerned, who shall neglect or refuse to obey the restrictions, directions, or qualifications of said health officers, respecting said quarantine, shall, on conviction thereof before the superior court, be fined a sum not exceeding five hundred dollars, or be imprisoned not exceeding three months, or both, at the discretion of said court.

2. Whenever the said health officers shall order, in manner aforesaid, all vessels arriving from a particular port, or from certain ports, to perform quarantine, they give notice of such order to the pilots of the said port of Portsmouth; and it shall be the duty of the said pilots, to make known the said order to the captains or masters of all vessels which they shall board, or have opportunity to communicate it unto. And if any pilot shall pilot any vessel up to the town, to any wharf thereof, said vessel being by such order subject to quarantine, he shall forfeit his branch, and be moreover fined not exceeding the sum of one hundred dollars, at the discretion of said court, on a prosecution and conviction before said court. And it shall be the duty of the said health officers, to make known such orders by them made as aforesaid, to the commanding officer of the fort or garrison at New-Castle, desiring his assistance and co-operation in stopping all vessels subject by such order to perform quarantine, and not permitting them to pass quarantine road, until further orders be taken respecting them.

3. Any master or commander of any vessel arriving, subject to quarantine by such order, as aforesaid, who, after receiving notice in any manner, of his vessel being so subject, shall bring up the same to any part of the town of Portsmouth, or pass up the river, or who shall falsely and fraudulently attempt to elude the directions of the health officers, by false and unfounded declarations, as to the port or place from whence he came, or who shall land, or suffer to be landed from his vessel, any person, goods, apparel, bedding, or merchandise whatsoever, without the permission of the said health officers; every such master or commander shall, upon conviction thereof as aforesaid, forfeit and pay a sum not exceeding five hundred dollars, or suffer imprisonment for a time not exceeding three months, or both, at the discretion of the said superior court.

4. When the said health officers shall think it necessary that any vessel shall perform quarantine, and be cleansed and purified, they shall direct the master or commander of such vessel to proceed with her, and anchor at or near some convenient place by them appointed, and specified in their order, not exceeding three miles from Portsmouth, there to be purified and cleansed, in such manner as the health officers shall direct and order. And all expenses of such purification shall be defrayed and paid by the master, commander, owner, or consignee of such vessel; and they shall either of them, and each owner severally, be answerable therefor; and the expenses shall be recovered by action of the case, in the name of the said health officers, to and for the use of the said town of Portsmouth. And each and every master, commander, owner, or consignee of every such vessel, who shall neglect or refuse to comply with such directions for purification or cleansing, shall, on conviction thereof before the said superior court, be fined not exceeding five hundred dollars, or suffer imprisonment for a term not exceeding three months, or both, at the discretion of the court.

5. Any diseased mariner or other person, sent on shore at the place appointed by the said health officers for the reception and cleansing of the sick, shall be there kept, maintained, provided for, and cleansed, at his or their own expense, or that of his or their parents or masters, if able, otherwise at the charge of the town to which he or they belong. And in case such person or persons have no legal settlement in any town or place within this state, then at the charge of the state.

6. Every person, mariner, or other person, who shall presume to come on shore from any vessel infected, or justly suspected to be so, or subject to or ordered for quarantine, or performing it, or shall leave the place appointed for the sick, or for purification, being placed there by order as aforesaid, and not having obtained permission from the health officers; every person, so offending, shall, on conviction before the court of common pleas, or the superior court, forfeit and pay the sum of one hundred dollars, or suffer three months imprisonment, at the discretion of the court before which the conviction shall be.

7. When any vessel shall be ordered for quarantine and purification, a red flag of six feet in length, at least, shall be ordered to be hoisted at the head of the main mast, and shall be constantly kept up in the day time, during the whole term of the quarantine, and until said vessel shall be entirely cleansed. And a like flag shall be hoisted on a flag-staff to be erected for that purpose, and kept up constantly in the day time, at the place appointed for the reception, cure, and cleansing of the sick, during the time of their remaining there. And if any person shall, without direction or leave of the health officers, go on board any vessel, ordered for or performing quarantine, or go within the limits that may be appointed by said officers, circumscribing infected persons and substances

on shore, he shall be considered as contaminated with infection, and held to undergo purification in the same manner, and under the same regulations, restrictions, and penalties, as those are subject to who are performing quarantine; and shall there remain, at his own expense, until discharged by order of the health officers. And the persons employed by them there, may, and are hereby empowered forcibly to detain him, until regularly discharged as aforesaid.

● The powers before given to the said health officers, may, and shall, be exercised by them, or any two of them.

If any vessel shall attempt to pass the forts at New-Castle after having been hailed and forbidden to pass, the commander is authorized to fire a shot ahead of the vessel, if she do not then come to, to fire another astern, and if she still persist in her attempt, to fire into her, until she bring to: and the master shall pay to the commanding officer five dollars for every shot so fired, before the vessel can leave the quarantine ground.

MASSACHUSETTS.

A board of health is appointed in Boston, who have the power to make regulations to preserve the health of the town.

By an act, passed June 22, 1797, it is enacted,

Sec. 6. That inquiry shall be made by the officer or other person on duty at the castle in the harbour of Boston, of every vessel coming from sea, and passing by the said castle, whether any infectious sickness be on board, or has been on board, since such vessel left the port from whence she last came; and if any such vessel has any sickness on board, or has had any on board, since her leaving such port, in such case, orders shall be given by said officer, or other person on duty, to the master or commander of such vessel, immediately to anchor, and to remain at anchor until a certificate shall be obtained from the major part of the selectmen of the town of Boston, that they are of opinion such vessel may come up to the town without danger to the inhabitants, or until the said master or commander shall receive orders from the said selectmen to anchor his vessel near the hospital on Rainsford's island, in the harbour of Boston. And in case any master or commander of a vessel shall by himself or the people on board, make false answer, when inquired of as aforesaid, by the officer or other person on duty as aforesaid, or after orders are given as aforesaid, shall neglect or refuse to anchor near the castle as aforesaid, or come on shore, or suffer any passenger or other person belonging to the vessel to come on shore, or any goods to be taken out before the vessel shall have anchored, or without liberty from the selectmen as aforesaid; or in case any master or commander of a vessel ordered to anchor near the hospital aforesaid, shall neglect or refuse so to do; in every such case, every master or commander so offending, shall forfeit and pay for each offence the sum of four hundred dollars, or suffer six months imprisonment.

7. Upon application made to the selectmen of the town of Boston, by any master or commander of any vessel at anchor near the hospital as aforesaid, the said selectmen are hereby empowered to permit such passengers, goods, or lading, as they shall judge free from infection, to come on shore; or to be taken out and disposed of as the owners shall see fit; and such passengers and goods as shall not be permitted as aforesaid, shall remain on board, or be landed on said island; and if any master or commander of any such vessel, for the time being, shall come on shore, or suffer any of his people or passengers to come on shore, or any boat to come on board, or suffer any goods to be taken out of his vessel, unless permitted as aforesaid, or shall come up to said town, with his vessel, until by a certificate under the hands of said selectmen, or the major part of them, it shall appear that the said vessel, company, and goods, are clear of infection, and the orders for stopping the same be removed or taken off, he shall for every such offence forfeit the sum of two hundred dollars; and in case he be not able to pay that sum, he shall suffer three months imprisonment: and if any sailors or passengers, coming in said vessel, shall, without the knowledge or consent of the master or commander, presume to come on shore, or up above the castle aforesaid, or if any person shall knowingly presume to go on board from shore, or go to the aforesaid house or island in time of infection there, without leave as aforesaid; or if any person put sick into the said house, or sent there on suspicion of being infected, shall presume to go off the said island without leave as aforesaid, any person offending in any of the particulars above mentioned, shall forfeit the sum of two hundred dollars; and in case such person be not able to pay said forfeiture, he shall suffer two months imprisonment.

8. Whenever any ship or vessel, wherein any infection or infectious sickness hath lately been, shall come to any harbour within this state; or whenever any person or persons belonging to, or that may, either by sea or land, come into any town or place near the public hospital aforesaid, shall be visited, or shall lately before have been visited with any infectious sickness, two of the justices of the peace or selectmen of such place, be, and hereby are empowered immediately to order the said vessel and sick persons to the said hospital, there to be taken care of according to the directions of this act: And

where any such ship, vessel, or persons, cannot, without great inconvenience and damage, be ordered to the aforesaid hospital, in any such case they shall be placed in a separate house: and in case the master or mariners of any vessel, ordered to the hospital as aforesaid, shall refuse or delay, for the space of six hours after such order being given to said master, or either of the owners of said vessel, or of the factors, or either of said owners of the goods, to come to sail, if wind and weather permit, in order to proceed to said hospital, such master, so refusing, shall forfeit and pay the sum of four hundred dollars; and each mariner, so refusing, the sum of one hundred dollars; and in case they be not able to pay the said sums, they shall suffer six months imprisonment.

9. If any master, seaman, or passenger, belonging to any vessel on board which any infection is, or may have lately been, or suspected to have been, or which may have come from any port where any infectious mortal distemper prevails, shall refuse to make answer, on oath, to such questions as may be asked him or them relating to such infection, by the selectmen of the town to which such vessel may come, (which oath the said selectmen are hereby empowered to administer,) such master, seaman, or passenger, so refusing, shall forfeit the sum of two hundred dollars; and in case he be not able to pay said sum, he shall suffer six months imprisonment.

12. Whenever any vessel shall arrive at any port, other than Boston, within this commonwealth, having on board any person visited with the plague, small pox, malignant fever, or any other pestilential disease, the master, commander, or pilot thereof, shall not bring such vessel up near the town of the port where she first arrives, until liberty be first granted in writing by the selectmen thereof; but they may bring such vessel to an anchor in such place below the town, as will be most for the safety of the inhabitants thereof and the preservation of the vessel and the people on board, there to wait for orders from the selectmen of such town before any passenger or person belonging to, or any thing on board the same be brought on shore; and any master or commander of such vessel, who shall be found guilty of a breach of the law contained in this section, shall forfeit and pay a fine of two hundred dollars for every such offence, upon conviction thereof before any court proper to try the same; and any pilot who may go on board any such vessel and pilot the same up to the town, without liberty first had and obtained from the selectmen thereof as aforesaid, shall, upon conviction in manner aforesaid, forfeit and pay a fine of fifty dollars for every such offence.

By an act, passed June 20, 1799, it is enacted,

Sec. 7. All masters of vessels, or other persons being on board the same, who shall throw or suffer to be thrown into any of the docks of said town, without permission from the board of health, any filth or sweepings of vessels' holds, or land, or suffer to be landed, any suspected clothes or bedding, or in anywise contravene the rules and regulations of said board, that may be made as aforesaid, contrary to the true intent and meaning of this Act, shall severally forfeit and pay for every such offence, not more than thirteen, nor less than five dollars.

8. Whenever it shall appear to the said board of health, that the safety of the inhabitants of the town of Boston requires, that any vessel or vessels which shall arrive within the harbour of Boston, from any port or place, should perform quarantine; the said board are hereby required and empowered to cause such vessel or vessels to perform quarantine, under such restrictions, regulations, and qualifications, as they may judge expedient; and any owner, officer, or other person, who shall neglect or refuse to obey the regulations of the said board of health, respecting said quarantine, shall be fined a sum not exceeding five hundred dollars, or be imprisoned for a term of time not exceeding six months, or both, at the discretion of the court.

9. Whenever the said board of health shall think it necessary to order all vessels which shall or may arrive at the said port of Boston, from any particular port or ports, to perform quarantine, and shall give notice of such order to the pilots of the said port of Boston; it shall be the duty of such pilots to make known the said order to the captains or masters of all vessels which they shall board: and if any pilot shall neglect to make known the said order, or shall pilot any vessel to any place in the harbour of Boston, except to Rainsford's island, he shall forfeit and lose his branch, and shall be disqualified from doing and performing the duty of a pilot for the term of twelve months then next ensuing.

10. Any master or commander of any vessel, who shall enter the said harbour of Boston with his said vessel, after notice given to him by any person or persons whomsoever, that a quarantine has been directed by the said board of health for all vessels coming from the port or place from which such master or commander shall have arrived; or who shall falsely or fraudulently attempt to elude the directions of the said board of health, by false and unfounded declarations of the port or place from whence he came; or who shall land or suffer to be landed from his vessel any person or persons, or goods, apparel, bedding, or merchandise whatsoever, without the permission of the said board of health; every such master or commander shall forfeit and pay a sum not exceeding five hundred dollars, or suffer imprisonment for a term not exceeding six months, or both, at the discretion of the court.

11. Every keeper of a boarding or lodging-house within the town of Boston, between the first day of May and the first day of November in each year, shall, within twelve hours after any sea-faring man or other lodgers become sick in such boarding or lodging-house within the town of Boston, report, in writing, the name of such diseased person to the board of health, or to a member of said board, and the nature of his disorder. And no master of a vessel shall remove any sick or diseased person from any vessel lying at any of the wharves, within the harbour of Boston, before the name of such sick person has been reported to the board of health or a member thereof, and a written permit obtained from at least two of them, authorizing such removal, which permit shall express the time, place, and manner of such removal. And every person, whether keepers of boarding or lodging-houses, or masters of vessels, who shall refuse or neglect to comply with either of the aforesaid directions, shall, on conviction before the Court of General Sessions of the Peace in said county, forfeit and pay a fine not exceeding one hundred dollars, or suffer imprisonment not exceeding two months, or both, at the discretion of said court.

12. Whenever the visiting-physician of the said board of health shall think it necessary that any vessel should be purified and cleansed, and perform quarantine, he shall direct the master or commander of such vessel to proceed to anchor near Rainsford's island, within the outer harbour of Boston, for the purpose of purification; and it shall be the duty of said physician to apply to the board of health to direct the time and manner in which said purification shall take place, and the expenses thereof shall be defrayed by the master, commander, owner, or consignee of every such vessel, to be recovered by an action of the case, in the name of the President of the said board of health. And each and every master, commander, owner, or consignee of every such vessel, who shall neglect or refuse to comply with such directions, shall, on conviction thereof before the Court of General Sessions of the Peace, be fined not exceeding one thousand dollars, or suffer imprisonment for a term not exceeding six months, or both, at the discretion of the court.

13. Every diseased mariner or other person sent to Rainsford's island by the said board of health, shall be there kept and maintained at his or their own cost and expense, or his or their parents or masters (if able) otherwise at the charge of the town or place to which they belong; and in case such person or persons have no legal settlement in any town or place within this state, then at the charge of this commonwealth; and every person sent to Rainsford's island, for the purpose of purification as aforesaid, by the said board of health, shall be subject to the same restrictions as are provided by the seventh section of an Act of this commonwealth, passed the twenty-second day of June, one thousand seven hundred and ninety-seven, and inserted above in this chapter.

14. The board of health for the town of Boston, shall provide, at the expense of said town, a suitable number of red flags of two yards at least in length; and whenever they shall order a vessel or vessels to Rainsford's island, for the purpose of purification, they shall direct the keeper of said island to hoist on a flag-staff, to be erected for the purpose, one of said flags; and the master of every vessel ordered there to perform quarantine, shall hoist one of said flags on the head of the mainmast, there to be kept during the day time, so long as said vessel or vessels shall remain at said island for the purpose of purification; and during the time that any vessel is performing quarantine, no person shall go on board thereof, except those employed by or under the board of health, nor shall any person go within a line to be designated upon the land on Rainsford's island; and every person who shall transgress in either of these cases, shall be considered as contaminated with infection, and held to undergo purification in the same manner, and under the same regulations and restrictions, as those performing quarantine on said island, and shall there remain until discharged by the visiting-physician; and the said physician, or the keeper of the said island, or any person employed thereon, may forcibly detain him for the purpose aforesaid.

15. If any ship or vessel subject to quarantine, shall pass by the castle, and enter within the inner harbour of Boston, it shall be the duty of the board of health for said town, or any two of them, to order the master of the said vessel to proceed forthwith, with her crew, passengers, and cargo, to Rainsford's island; and in case the said master shall refuse or neglect so to do for the space of one hour after said order, he shall, on conviction before the Supreme Judicial Court, or Court of General Sessions of the Peace in said county, forfeit and pay a fine not exceeding one thousand dollars, or suffer imprisonment not exceeding six months, or both, at the discretion of the court; and the said board of health, on any neglect or refusal as aforesaid, shall have full power and authority forcibly to enter on board such vessel, and to call to their assistance one or more of the pilots for the harbour of Boston, and such other persons as may be necessary to proceed with said vessel, her crew, passengers, and cargo, to Rainsford's island, the expense of which removal shall be paid by the owner of such vessel, which shall and may be recovered by action of the case, in any court competent to try the same; and any pilot or other person, who shall refuse to give his assistance, when required, shall pay a fine of thirteen dollars.

An Act in addition to an Act, entitled, "An Act to prevent the spreading of contagious sickness." Passed June 22, 1797.

Whereas it is necessary that some further provision should be made by law, to require vessels to perform quarantine, for the safety of the people in this commonwealth:

Sec. 1. Be it enacted by the senate and house of representatives, in general court assembled, and by the authority of the same, That whenever it shall appear to the selectmen of any seaport town within this commonwealth (other than Boston and Salem) that the safety of the inhabitants thereof requires, that any vessel or vessels which shall arrive in any harbour or river within this commonwealth, from any port or place, should perform quarantine, the selectmen of any town where such vessel shall so arrive are hereby required and empowered to cause such vessel or vessels to perform quarantine, at such place as they shall appoint, and under such restrictions and regulations as they may judge expedient; and any owner, master, or supercargo, officer, seaman, or consignee of such vessel or vessels, or any other person who shall neglect or refuse to obey the orders, directions, rules, regulations, and restrictions of the said selectmen, respecting the said quarantine, and shall be convicted thereof, upon indictment or information, shall forfeit and pay a sum not exceeding five hundred dollars, or be imprisoned for a term of time not exceeding six months, or both, at the discretion of the court.

2. When any master or commander of any vessel shall come up to any sea-port town aforesaid, with his said vessel, after notice given to him by any person or persons whomsoever, that a quarantine has been directed by the said selectmen for all vessels coming from the port or place from which such master or commander shall have arrived; or shall falsely or fraudulently attempt to elude the directions of the said selectmen, by false and unfounded declarations of the port or place from whence he came; or shall land, or suffer to be landed from his vessel, any person or persons, or apparel, bedding, goods, or merchandise whatsoever, without the permission of the said selectmen,—every such master or commander shall, upon conviction thereof in manner and form pointed out in the first section of this Act, forfeit and pay a sum not exceeding five hundred dollars, or suffer imprisonment for a term not exceeding six months, or both, at the discretion of the court.

3. Whenever the said selectmen shall think it necessary to order all vessels which shall or may arrive at any of the sea-port towns aforesaid, from any particular port or ports, to perform quarantine, and shall give notice of such order to the pilots of the said sea-port towns; it shall be the duty of such pilots to make known the said order to the captains or masters of all vessels which they shall board. And if any pilot, after notice given to him as aforesaid, shall neglect to make known the said order, or shall pilot any such vessel up to any town aforesaid, he shall, upon conviction thereof in manner and form pointed out in the first section of this Act, forfeit and pay a fine not exceeding one hundred dollars.

4. The selectmen of each of the sea-port towns aforesaid, shall provide, at the expense of such towns, a suitable number of red flags, of three yards at least in length; and the master of every vessel ordered to perform quarantine, for the purpose of purification, shall hoist one of said flags on the head of the mainmast, there to be kept during the whole time, so long as said vessel or vessels are performing quarantine; and no person during that time shall go on board, except those employed by the said selectmen; and every person who shall transgress by going on board any such vessel, shall be considered as contaminated with infection, and held to undergo purification in the same manner, and under the same regulations and restrictions, as those persons who are performing quarantine on board such vessel or vessels, and shall there remain until discharged by order of said selectmen, who, by any person or persons employed by them, may forcibly detain such person or persons transgressing as aforesaid, for the purpose of purifying as aforesaid.

5. In every sea-port town aforesaid, where there is a health-committee or a health officer legally chosen and appointed in manner as directed by the Act to which this is in addition, and the selectmen of such town shall judge it necessary, and shall certify it under their hands, or the major part of them; such health committee or health officer are hereby authorized to perform all the duties, and exercise all the authority which selectmen are authorized and required to execute, in requiring any person or persons, vessel or vessels as aforesaid, to perform quarantine in manner as pointed out in this Act.

RHODE ISLAND.

An act appointing the several town councils in this state boards of health, ex officio.

Sec. 1. *Be it enacted by the general assembly, and by the authority thereof it is enacted,* that the several town councils aforesaid be and they hereby are empowered, when in the opinion of said council, the inhabitants of any town, or any particular part thereof, is in danger from any contagious disease, to order and enact such rules and regulations, for preventing the same, as to them shall appear to be proper, either by removing the inhabitants, or otherwise, and shall affix such penalties, for the breach of said rules and regulations, as to them shall seem necessary, not exceeding the sum of three hundred dollars fine, or six months imprisonment, for any one offence.

Sec. 2. *And be it further enacted,* that in the several seaports of this state, the town council of the town wherein such seaport is situated, may, and they hereby are empowered, to make and carry into effect, such rules and regulations respecting quarantine, as to them may appear necessary, to prevent the introduction of contagious diseases from other places; that such town councils shall prescribe, from time to time, the several ports, places, or countries, from which vessels arriving shall be subject to examination or quarantine, and shall likewise appoint the particular place, in their harbour, bay, or river, where all ships or vessels arriving, subject to examination or quarantine, shall come to anchor; and shall define the limits of such quarantine ground, and assign the time which such ships or vessels shall be detained; and such council shall appoint a centinel, who shall be paid by said town, and be stationed in some convenient place on shore, or in some boat or vessel, properly situated to hail all ships or vessels which may arrive in such river, bay, or harbour, and if he finds such ship or vessel is subject to quarantine, to direct the commander thereof to come to anchor within the limits of said quarantine ground as aforesaid, and there remain until visited by the health officer; and to place a signal in said vessel's shrouds, in such manner as to be seen at a proper distance.

Sec. 3. *And be it further enacted,* that any commander of a ship or vessel, who shall, upon being hailed and directed by such centinel as aforesaid, refuse or neglect to bring said ship or vessel to anchor, within the limits described as aforesaid, shall pay as a fine, to and for the use of such town, the sum of twenty dollars; and the town council may order such ship or vessel to be anchored on said quarantine ground, at the expense of the owners, master or commanding officer thereof, there to remain, until therefrom discharged in manner hereinafter provided.

Sec. 4. *And be it further enacted,* that any person, either officer, seaman, or passenger, who shall leave such ship or vessel, under order of quarantine as aforesaid, without permission from the health officer, or the town council, shall pay, to and for the use of such town, a fine not exceeding the sum of twenty dollars, and said town council may order such person to be returned on board of said vessel, there to remain until said council order him or her to be dismissed.

Sec. 5. *And be it further enacted by the authority aforesaid,* that if any vessel shall arrive in the waters of this state, and bound to the port of Providence, at any time while the quarantine regulations of said town are in force, no person or persons on board said vessel, either master, officer, seaman, or passenger, shall enter into the town of Providence or village of Pawtuxet, until such vessel shall have been visited and examined by the health officer of said town, and permission shall have been given by such health officer, or by the town council of said town, to such person or persons to enter therein; and every such person or persons, so entering into said town, without such permission first had and obtained as aforesaid, shall pay as a fine, a sum not exceeding twenty dollars; and said town council may also cause such person or persons to be returned to such vessel, in case she is under quarantine, there to remain until permitted to depart therefrom.

Sec. 6. *And be it further enacted,* that said council be and they are hereby empowered to appoint a health officer, whose duty it shall be to visit all vessels which shall be subject to examination or quarantine as aforesaid, and carry into execution all regulations established by the said council, which said health officer shall, at all times, be accountable to said town council, and shall receive for his services such compensation as said council may allow; to be paid by the owner or owners, agent or agents, or commander of such vessel as may be subjected to quarantine or examination.

Quarantine regulations for the town of Providence, for 1821.

In pursuance of an act, entitled "An act appointing the several town councils in this state boards of health, ex officio," the board of health for the town of Providence, at their meeting holden at the council chamber, on the 28th day of May, A. D. 1821, passed the following orders, regulations, and decrees, viz.

Section 1. *It is ordered and decreed*, that all vessels which shall arrive in the harbour of Providence, on and after the first day of June, A. D. 1821, from any foreign port or place whatever, except those direct from any port or place north of the forty-eighth degree of north latitude; and all vessels which shall or may arrive from any port or place in the United States, south of Chesapeake Bay, and including the port of Norfolk, notwithstanding they may have touched or stopped at any intermediate port or ports during their homeward passage, having on board their original cargoes, or any part thereof, taken in at such foreign port, or at ports south of the Chesapeake Bay, or at the port of Norfolk; likewise, all vessels, with their officers, crews, and passengers, that shall have touched or landed at the port of Norfolk, are not to pass the quarantine ground, which comprises that part of said harbour lying westward of the main channel of the river, and extending northward from Sassafra's point to the distance of one-fourth of a mile from said point. All such vessels, whatever may be their lading, shall be subject to the inspection and examination of the health officer appointed by this board, who may, on inspection and examination of any such vessel, permit her to proceed up to the town, if it shall appear to him that the public health will not thereby be endangered, provided it is not repugnant to the sixth section of the quarantine regulations.

Sec. 2. *And it is further ordered and decreed*, that no vessel coming from any port or place in the south of Europe, or within the Straits of Gibraltar, or from any port or place on the American continent, situated between the tropics, including all the West India islands and places in the Bay of Mexico, or from any other port or place where it is ascertained that contagious sickness doth or hath recently prevailed, shall be permitted to unload at any of the wharves in this town. Such vessels, with their officers, crews, and passengers, after having been subjected and gone through all the regulations of quarantine to the satisfaction of the health officer, may, on a certificate obtained of him to that effect, be permitted to discharge their cargoes into scows or lighters any where southward of the crook and west of the channel, and in such craft may bring the same up to the town. Vessels laden with salt are not included in this decree, but may, on a certificate from the health officer to that effect, be permitted to unlade at the wharves in this town.

Sec. 3. *And it is further ordered and decreed*, that all vessels arriving at this port, after having discharged their cargoes in any other port of the United States, agreeably to the quarantine regulations of such port, shall anchor on the quarantine ground, and be visited and examined by the health officer, and be subject to the provisions of the sixth section of the quarantine regulations.

Sec. 4. *And it is further ordered and decreed*, that all vessels, subject on their arrival at this port to be visited and examined by the health officer, which shall pass Field's Point after 9 o'clock P. M. shall anchor on the quarantine ground, notwithstanding they may not have been hailed by the centinel.

Sec. 5. *It is further ordered and decreed*, that if any officer of the customs, or any other person whosoever, shall go on board of any inward bound vessel, or shall put any person or persons on board of any such vessel, that shall be subject to quarantine, such officer, person or persons, so going or put on board, shall not be permitted to land in this town until the time of the quarantine of such vessel shall have expired.

Sec. 6. *It is further ordered and decreed*, that no untanned hides, skins, horns, or any other article whatsoever, that shall or may be thought by the health officer capable of generating disease, shall be landed from any vessel whatever, within the limits of this town, during the existence of the quarantine, without a permit therefor first had and obtained of this board; nor shall any ship or vessel having sickness on board, or having had any person or persons sick of a malignant or contagious disease during the voyage, be permitted to come to any wharf in this town, within twenty-five days after being unladen and properly cleansed, which time shall be considered to commence from the date of a certificate to that effect from the health officer, nor then during the existence of the quarantine, except to the wharves at Fox Point, or India Point, under special permission from this board.

Sec. 7. *It is further ordered and decreed*, that if the captain or commanding officer on board of any vessel arriving at the port of Providence, and subject to quarantine, shall refuse to answer any or all interrogatories or inquiries put to him by the health officer appointed by this board, or shall evade such inquiries, or shall in any way or manner make or cause to be made to said health officer, a false or equivocal statement or report relative to the officers, crews, and passengers on board thereof, or of the state of the health of all or any of the officers, crew, and passengers; or shall neglect to report to said

health officer any death that may have occurred on board during the said voyage; or shall refuse to sign the written examination of such captain or commander, taken at the time by said health officer, after being requested so to do; such captain or commander, so offending, shall forfeit and pay as a penalty to and for the use of the town, a sum of money not exceeding three hundred dollars, nor less than one hundred dollars, to be sued for and recovered in manner as provided in the seventh section of the act aforesaid.

Sec. 8. *It is further ordered and decreed*, that if any person ordered to the hospital from on board of any vessel arriving at this port, or from any part of this town, shall refuse to go thither; or being there, shall depart from or leave the limits of said hospital, without permission first obtained from this board, or from the health officer, in writing, such person shall, for each offence, forfeit and pay a sum not exceeding one hundred dollars, nor less than twenty dollars, to be recovered in manner as provided in the seventh section of an act, entitled "An act appointing the several town councils in this state boards of health, ex officio."

Sec. 9. *It is further ordered and decreed*, that the following be the rules and regulations to be observed on board of all vessels, while at quarantine:

1st. All vessels shall, during their quarantine, wear colours in their shrouds.

2d. No provisions, spiritous liquors, or other articles, shall be admitted on board of such vessels without permission from the health officer.

3d. The health officer on all occasions shall direct what goods shall be delivered from on board of such vessels, the places where, and the manner in which, they shall be landed.

4th. No boat, except the health officer's, shall be permitted to go alongside of any such vessel, nor to lie at anchor, or to remain in any other manner, within one hundred yards of them.

5th. Such vessels shall be removed and stationed at such places as the health officer may, from time to time, under the direction of this board, direct and appoint.

6th. The bilge water shall be pumped from such vessel, at least twice a day, until the water, so pumped, shall be free from offensive smell.

7th. The direction of the health officer for cleansing the vessel, clothing and other things on board, shall be strictly complied with, by the officers and crews.

8th. The commanders of such vessels shall be answerable for all irregularities and breaches of these regulations by the people on board.

9th. All permissions and directions of the health officer, as aforesaid, shall be in writing.

Sec. 10. *It is further ordered and decreed*, that if any person or persons shall be guilty of a breach of any of the foregoing orders and regulations, such person or persons so offending, shall, on conviction of the same, before any court of competent jurisdiction, incur a penalty not exceeding the sum of two hundred dollars, nor less than ten dollars, at the discretion of such court.

CONNECTICUT.

The civil authority and selectmen of the several towns have authority to constitute a board of health in their respective towns, who may examine into nuisances on board of vessels or in other places, and cause the same to be removed, and make orders to prevent the same. The violation of their orders is punished by a fine of not less than fifteen dollars, nor more than one hundred dollars.

By an act of the senate and house of representatives, in general assembly convened, it is enacted, that,

Sec. 3. It shall be lawful for the board of health, in any town contiguous to navigable waters, to make out and assign, within the limits of their town, or the waters contiguous thereto, the port or place in any harbour, road, river, or bay, in which, or where, vessels arriving or coming into the limits of such town, or into such contiguous waters, shall, if need require, perform quarantine; and every vessel, which shall, between the first day of June and the first day of November, in each year, come from any foreign port or place, or from any port or place in the United States, south of the capes of the Delaware, and arrive or come to anchor in any such harbour, road, bay, river, or contiguous waters, if any place for quarantine shall have been assigned as aforesaid, such vessel coming and arriving as aforesaid, or coming to anchor, shall come to anchor and lie at such place so assigned, and at no other place whatever, until discharged, in manner as is hereinafter provided. And the master of every vessel arriving or coming to anchor as aforesaid, shall forthwith make signal, for a health officer, by hoisting colours in the shrouds, or, if need require, may send a person on shore, who shall, in person, or by writing, notify the health officer of the port, or if there be no health officer, a member of the board of health, of the arrival of such vessel, and forthwith return on board; and every person so sent, who shall neglect to return as aforesaid, shall forfeit and pay a fine of fifty dollars; and every

master of a vessel, arriving and coming to anchor as aforesaid, who shall come to anchor at any port or place, in such harbour, road, river, bay, or contiguous waters, (wind and weather permitting,) other than in the port or place so assigned, for the performance of quarantine, if any such port or place be assigned, shall forfeit and pay a fine of not less than one hundred dollars, and not exceeding five hundred dollars, or suffer imprisonment for a term not exceeding six months, or both, at the discretion of the court.

4. On notice given to a health officer, or member of the board of health, of the arrival of any vessel as aforesaid, it shall be the duty of such health officer, or member of the board of health, without delay, to visit such vessel, and such officer, or member, shall have power and authority, on examination, as the circumstances of the case may require, to give a certificate of health, discharging said vessel from quarantine, or to cause such vessel to continue subject to quarantine: and every vessel, so subjected to quarantine, shall perform quarantine, under such restrictions and regulations as such board of health shall have established, or may establish. And every owner, master, supercargo, officer, seaman, consignee, or other person, who shall neglect or refuse to obey the directions, rules, regulations, or restrictions of the board of health, relative to any vessel required to perform quarantine, shall pay a fine, not exceeding five hundred dollars, or suffer imprisonment for a term not exceeding six months, or both, at the discretion of the court.

5. If any master or commander of any vessel, liable to perform quarantine, as aforesaid, shall falsely, or fraudulently, attempt to elude a quarantine, by false and unfounded declarations of the port or place from whence he came, or shall land, or suffer to be landed from his vessel, any apparel, bedding, goods, or merchandise whatever, or any person or persons, other than in the manner herein before provided, or permit any person or persons to enter on board the same, before such vessel shall have been visited as aforesaid, he shall forfeit and pay a sum of not less than one hundred dollars, nor exceeding five hundred dollars, or suffer imprisonment not exceeding six months, or both, at the discretion of the court.

6. Whenever a health officer, or member of the board of health, shall, on visiting any vessel as aforesaid, think it necessary that any vessel required to perform quarantine, should be cleansed or purified, he shall direct the master or commander of such vessel to hoist a white flag on the head of the mainmast, there to be kept during the day-time. And it shall be the duty of such officer, or member, to apply, without delay, to the board of health, to direct the time and manner in which the cargo on board such vessel, shall be in part or in whole cleansed, or purified, if need require; and such vessel, or such part thereof, as may be infected, shall be cleansed, by being washed with a lie made of water and soap, or potash, barilla, or common ashes, or in such other method, as such board shall direct. And whenever such vessel shall contain any person labouring under a malignant, infectious disease, such person shall be removed to a hospital, or other house, in a healthful and safe situation, and nursed and provided for, in the manner prescribed by law. And such board may also, at their discretion, cause any passenger or passengers on board such vessel, and such of the mariners, as the master or commander of such vessel shall not require to continue on board, to be removed from such vessel, and secluded on shore, for the space of fourteen days, in such a convenient place, as the board shall direct; and if any person required to continue in such confinement, shall depart therefrom, without permission from the board of health, or some person acting by their direction, he or she shall forfeit and pay a fine, not exceeding one hundred dollars: and whatever person shall, without such permission, resort to, or associate with, any person or persons so confined, shall be deemed to be contaminated with infection, and shall be liable to undergo the same confinement and penalties, as are imposed upon, or required of, such person or persons resorted to, or associated with.

7. Whenever any certificate of health shall have been given for any cargo, vessel, or person, if the board of health shall, on examination, find that the same was obtained by fraud, or any false or unfounded representation, or shall be of opinion that such vessel, person, or cargo, should perform further quarantine, for the purpose of being cleansed, or purified, on notice thereof being given by the board, to such person, or the owner, master, supercargo, or consignee of such vessel or cargo, as the case may be; the same shall, in all respects, be liable to be proceeded with, in the same manner, as if no certificate of health had been given.

8. Whenever the board of health in any town, shall deem it expedient, that vessels coming or arriving in their town, or in the waters contiguous thereto, from any port or place in the United States, north of the capes of the Delaware, should perform quarantine, such board may subject such vessels to perform quarantine: and an order of such board, published in a newspaper, printed in their town, or posted, for three days, on the sign-posts in such town, for that purpose, shall subject such vessels to quarantine; and thereupon such vessels and their cargoes, and the masters, owners, mariners, consignees, and all other persons, shall be liable to the same penalties, rules, regulations, and restrictions, as are established by law, and shall have been, or may be established by such board, relative to vessels arriving or coming from a foreign port or place.

10. Between the first day of May, and the first day of November, in each year, every taverner, inn-keeper, or keeper of a boarding-house, or lodging-house, shall, within twelve hours after any sea-faring man, or other lodger, becomes sick, in his or her house, report in writing, to the board of health, or health officer, the name, (if known,) of such person, and the nature of his disorder, on pain of forfeiting twenty dollars.

11. The board of health is authorized to establish the fees or compensation, not exceeding five dollars, which the health officer shall be entitled to receive, for visiting a vessel as aforesaid; and the master, or owner of such vessel, shall be liable to pay the same, to such health officer.

NEW-YORK.

By an act, passed April 14, 1820, it is enacted that,

Sec. 1. There shall be a board of health in the city of New-York, which board shall consist of such persons as the mayor, aldermen, and commonalty of the city of New-York, in common council convened, shall from time to time nominate and appoint, to be members of the said board, and of the commissioners of health herein after mentioned. That the said commissioner shall be a health officer, who shall perform all the duties required of him by this act, a resident physician, whose duty it shall be to visit all sick persons reported to the board of health, or health commissioners, conformable to the twenty-sixth and twenty-seventh sections of this act; and a health commissioner whose duty it shall be to take charge of the receipts and disbursements of all moneys appropriated to the use of the marine hospital establishment; for the due performance of which he shall execute a bond to the people of this state, with one or more sureties, in the sum of five thousand dollars, which bond shall be taken and approved by the mayor or recorder of said city: *And further*, it shall be the duty of the said resident physician and health commissioner, to meet daily at their office, from the thirty-first of May to the first of October, in each year, to transact such business and discharge such duties as shall in virtue of this act particularly belong and be assigned to the said commissioners, distinct from their duties as members of the board of health.

2. Every vessel arriving in the port of New-York, at any time of the year, from any port, island, or other place, in Asia, Africa, the Mediterranean, America, lying south of Georgia, or from any West-India, Bahama, Bermuda, or western island, and all vessels from foreign ports, having on board forty or more passengers, and all vessels on board of which any person shall have been sick or died while at a foreign port, or on the homeward passage, shall proceed to and be anchored at the place assigned for quarantine, and subject to the health officer's examination, and to the regulations herein prescribed, and that any master or commander of a vessel offending in the premises, shall be considered as guilty of a misdemeanor, and on conviction thereof, shall for each offence be fined, by any court having cognizance of the same, in a sum not exceeding two thousand dollars, or imprisoned for a term not exceeding twelve months.

3. Every vessel arriving in the port of New-York, from any port or other place in the West-Indies, in Bermuda, in America, south of St. Mary's, in Georgia, and north of the equator, or from any port or place on the continent of Africa, or islands near to the same, between the 31st day of May and the 31st day of October in any year, shall remain at quarantine together with their crews and passengers, not less than 4 days after their arrival, and as much longer as in the opinion of the health officer may be expedient, during which time the said vessel shall be ventilated and cleansed, the clothing and bedding of the crew and passengers washed and aired, when such vessels shall be permitted to proceed by him, they shall not approach within three hundred yards of that part of the island of New-York which lies southward of Bank-street on the North River, and southward of Stuyvesant's dock on the East River; but if their cargoes be in good condition, such cargoes may be brought into the city, subject to the orders and regulations of the commissioners of health, which vessels having been unloaded, and application made to the said health commissioners, they shall send a trusty person to see said vessel and her ballast properly cleansed, for which duty the said person shall be paid by the master or owner of the said vessel, the sum of five dollars; and when he shall report to the commissioners of health a vessel to be duly cleansed and purified, they may then direct such vessel to such wharf as they may deem proper, and no vessel being at any wharf in pursuance of such direction, shall depart thence or change her berth, between the thirty-first day of May and the first of October, without permission of the health commissioners, or one of them, in writing, or by order of the mayor or board of health, and that every master, commander, consignee or passenger of any vessel, or any person belonging to or connected with the same, offending against the provisions of this section, shall be considered guilty of a misdemeanor, and shall for every such offence be fined in a sum not exceeding two thousand dollars, or be imprisoned for a time not exceeding twelve months.

4. Every vessel arriving in the port of New-York, from any port, island, or other place in the Mediterranean, in Asia, in America south of the equator, or from Madeira, Canary, Cape de Verd, western or Bahama islands, between the thirty-first day of May and the first day of October, in any year, shall proceed to and remain not less than two days at quarantine, and shall be there ventilated and cleansed, and the clothing and bedding shall be washed and aired, and such vessel shall remain at quarantine for a longer time if the health officer shall judge proper; and the health officer shall determine and direct, in writing, to what wharf in the said city, the said vessel may proceed, and such vessel shall remain at such wharf and no other, and shall not depart therefrom or change her birth, between the thirty-first day of May and the first day of October, without permission of the health commissioners or one of them, in writing, or by order of the mayor or board of health, provided that such vessels shall not have been at any of the ports or places mentioned in the third section of this act, after the fifteenth day of May next preceding, and in such case such vessel shall be subject to the regulations and penalties contained in the said third section, and that every master, commander, owner, or consignee of any vessel offending in the premises, shall be considered as guilty of a misdemeanor, and shall for every offence be fined in a sum not exceeding two thousand dollars, or imprisoned for a time not exceeding twelve months.

5. Every vessel arriving in the port of New-York, from any port, island, or other place, or from any bay, river, or inlet, in the ordinary passage from which she must pass to the south of Cape Hendopen, between the thirty-first day of May and the sixteenth day of October, in any year, shall proceed to and anchor at the place assigned for quarantine, and shall be subject to the examination of the health officer, and to such regulations as may be deemed by him expedient, and the master or commander of a vessel offending in the premises, shall be considered as guilty of a misdemeanor, and on conviction thereof, shall for each offence be fined, by any court having cognizance of the same, in a sum not exceeding two thousand dollars, or be imprisoned for a term not exceeding twelve months.

6. Every vessel coming from any port or place where yellow, bilious, malignant, or other pestilential or infectious fever existed at the time of her sailing thence, or if during her voyage any person has died or been sick on board of such vessel with such fever, she shall proceed to and be brought to an anchor, at the quarantine anchorage, and the master, owner, or consignee, shall forthwith, upon the requisition and under the direction of the health officer, cause such vessel to be unloaded, cleansed, and purified, and until then no permit shall be granted for her to proceed to the city of New-York, and every vessel under the above circumstances, arriving between the thirty-first day of May and the first of October, shall be detained at least thirty days at quarantine, after her arrival, and twenty days after her whole cargo has been discharged, and every part of the inside of such vessel thoroughly whitewashed, except such parts as may be painted or varnished, which parts shall be cleansed as the health officer may direct, during which time the said vessel shall be as often whitewashed as the health officer shall judge requisite, but not less than three times, and four days intervening between each time, and wind-sails shall be constantly kept in each hatchway, the weather permitting; and it shall be the duty of the health officer, whenever he shall judge such vessel to be clean, safe, and free from infection, to report her and her ballast to the board of health, who shall be authorized to give further directions concerning her, and no part of the cargo of such vessel shall be conveyed to the city of New-York, without a permit in writing, from the health officer, nor shall any of the crew or passengers of such vessel be permitted to go to the city of New-York until twenty days after the last death or sickness of the yellow, bilious, malignant, or other pestilential or infectious fever, which has occurred on board, or until twenty days after such vessel shall have sailed from any port where such fever existed at the time of her departure, and every master or consignee, or other person, neglecting or refusing to comply with such requisition of the health officer, shall be considered guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum not exceeding two thousand dollars, or be imprisoned for a time not exceeding twelve months, by any court having cognizance thereof: *Provided*, That all vessels which may remain at quarantine on the first day of October, shall be subject to the same restrictions which are directed for those vessels which arrive on and after that day.

7. Any vessel arriving at the quarantine ground, and bound to any place eastward of the city of New-York, and beyond this state, may be permitted by the health officer, after she shall have been duly visited and examined by him, to proceed through the sound: *Provided*, the said vessel shall not be brought to an anchor off the said city, nor any of her crew or passengers shall be permitted to land in, or hold any intercourse or communication with the said city, or with any person therefrom, and that every master, commander, owner, or consignee, of any vessel, or any other person offending in the premises, shall be considered guilty of a misdemeanor, and shall for every offence be fined in a sum not exceeding two thousand dollars, or imprisoned for a time not exceeding twelve months.

8. It shall be lawful for the governor of this state, or in his absence, the mayor of the city of New-York, or in the absence of both, the recorder of the said city whenever he shall have reason to believe that yellow, bilious, malignant, or other pestilential or in-

fectious fever exists at any place, to issue his proclamation, directing that all vessels from such place shall proceed to the quarantine ground, previous to their touching at any wharf or holding any intercourse with the city of New-York, there to be examined by the health officer and put under quarantine, as is herein prescribed, and to prohibit for regulate the intercourse by land and by ferries, between the city and county of New-York, and such infected place or places, and to order and direct that all persons who shall come into the said city, contrary to the prohibitions and regulations in such order or proclamation as aforesaid, shall be apprehended and conveyed to the vessel or place whence they last came, or if sick, conveyed to the marine hospital; and that all persons offending in the premises shall be liable to punishment as for a misdemeanor, by fine and imprisonment, at the discretion of the court having cognizance thereof; and all magistrates, marshals and constables, officers and ministers of justice of the said city and county of New-York, and of this state, and all other the inhabitants of this state, are hereby enjoined and required to be aiding and assisting in the execution and enforcement of the orders and directions of the said proclamation.

9. It shall be in the power of the health commissioners, the mayor of the city of New-York, or the board of health, to order to the quarantine ground, or some other place of safety, all vessels that may be at the wharves or in the vicinity of said city, which in the judgment of the said health commissioners, mayor or board of health, may be prejudicial or be dangerous to the public health, or have on board articles suspected to contain infectious matter, whether brought from foreign countries or otherwise, and to cause all persons, articles, or things which may have been landed to be arrested and seized, and to be returned forthwith on board such vessel, or removed to the quarantine ground, and no vessel after having obeyed such order shall return to any wharf, pier, or slip in the said city, without permission so to do from the board of health; and in case any master, owner, or consignee of such vessel, shall refuse or neglect to obey such order, or shall cause such vessel to return as aforesaid, such person so offending shall be considered guilty of a misdemeanor, and shall be fined in a sum not exceeding one thousand dollars, or be imprisoned for a term not exceeding twelve months; and also in case the master, owner, or consignee cannot be found, or shall refuse or neglect to obey such orders, the mayor of the city of New-York or the board of health, shall have power to remove as aforesaid such vessel or vessels, at the expense of the master, owner, or consignee.

10. Quarantine, in all cases where the duration of the same is not specifically described by this act, shall continue for such time as to the health commissioners shall seem proper, and no vessel otherwise subject to quarantine shall be exempted therefrom by reason of her having previously to her arrival at the port of New-York entered into any of the ports of the United States, unless such vessel shall have discharged all her cargo, and been well cleansed, and remained at least twenty days, after unlading the whole of her cargo, in some one of the aforesaid ports, and shall not have received on board the same cargo, or any other cargo, during the said twenty days; and that every master, commander, or consignee of any vessel offending against the provisions of this section, shall be considered guilty of a misdemeanor, and shall for every such offence be fined in a sum not exceeding two thousand dollars, or be imprisoned for a term not exceeding twelve months.

11. No vessel subject to the examination of the health officer, shall approach the city of New-York, beyond the place assigned for quarantine, without a written permit for that purpose, from him; and that the master or commander of every such vessel, arriving at the city of New-York, shall, within twenty-four hours after such arrival, deliver such permit to the commissioners of health, or to such person as they shall direct; and every master or commander neglecting or refusing to comply with either of these directions, shall, for every such offence, be considered guilty of a misdemeanor, and on conviction thereof, shall be fined by any court having cognizance thereof, in a sum not exceeding two thousand dollars, or be imprisoned for a term not exceeding twelve months.

12. Every vessel subject to quarantine, shall be designated by colours fixed in a conspicuous part of the main shrouds of such vessel, and shall there remain until the expiration of her quarantine, and if the master or commander of any such vessel shall not comply with such direction, he shall forfeit for every such offence, the sum of fifty dollars, and the further sum of three dollars for every hour he shall so offend, to be recovered by the health commissioners, with costs, in any action of debt, in their own names, in any court having cognizance thereof.

13. It shall be lawful for the health officer, and he is hereby authorized and required without delay, to enter on board of every vessel coming into the port of New-York, subject to his examination or visitation by this act, and to make strict search, examination, and inquiry as to the health of the officers, seamen, and passengers, and into the state and condition of the vessel, her cargo, and contents, respectively; and in order that he may be more effectually enabled to make examination and determine how long such vessel shall be detained at quarantine, conformable to this act, it shall be lawful for him to put all such questions to the persons on board, as he may judge needful and proper to that end, and the persons to whom such questions shall be put, may be required to answer the same on oath, which oath he is hereby authorized to administer accordingly, and every

person swearing falsely in the premises, shall be liable to the pains and penalties of wilful and corrupt perjury; or if any person shall oppose or obstruct the health officer in performing the duties required of him by this act, he shall be considered as guilty of a misdemeanor, and shall be fined in a sum not exceeding five hundred dollars, or imprisonment for a time not exceeding three months.

14. Any person shall go on board, or have any intercourse, communication, or dealing with any vessel at quarantine, without permission from the health officer, he shall be considered and adjudged guilty of a misdemeanor, and he shall be detained at quarantine as long as the board of health shall direct, but not to exceed twenty days, unless such person should be taken sick with malignant fever; and it shall be the duty of the health officer to give immediate information of every such transgression to the board of health, with the circumstances attending the same, and the condition of such vessel, that the said board may be enabled to determine how long the offender shall remain at quarantine; and if any such person or any other person put under quarantine by virtue of this act, should elope from, or quit, or go beyond the bounds assigned to him by the health officer for his quarantine, it shall be lawful for any justice of the peace, or other magistrate of this state, upon examination of the case, to order and direct, by his warrant or otherwise, such offender to be conveyed to the quarantine ground, to be there confined by the health officer, or by such persons as he shall direct, for the remainder of his quarantine; and every person transgressing as aforesaid, shall forfeit the sum of five hundred dollars, to be recovered by the health commissioners, or any one of them, by action of debt, in his or their own names, in any court having cognizance thereof.

15. It shall be lawful for the health officer to take a bond in his own name, from any person put under quarantine, with one or more sureties, and in a sum not less than five hundred dollars, nor more than two thousand dollars, conditioned that such person shall not, during his period of quarantine, approach nearer to the city-hall of the said city of New-York, than the distance of three miles, except in passing the said city on the North or East river, and that such person shall not go into any city or town of the United States, before he would be admitted into any such city or town by the quarantine laws of said city, town, or state, respectively; and in case such bond be forfeited, the same may be put in suit and recovered by the said health commissioners, or any one of them, for the benefit of the said marine hospital; and in case the condition of the said bond should be violated, by such persons visiting any other city or town of the United States, or other than the city of New-York, contrary to the condition of the said bond, it shall and may be lawful for the board of health, on application therefor from competent authority of such other city or town, to direct and cause the health officer to make such assignment of the said bond, as may enable the person or persons to whom the same may be assigned, to prosecute the said bond, and to recover the penalty thereof, to the use of the assignees.

16. It shall be lawful for the health officer, whenever he shall judge it necessary to prevent infection, to cause any bedding or clothing arriving in a vessel subject to quarantine, to be destroyed; and it also shall be lawful for the board of health in said city, whenever they, or a majority of them shall judge it necessary, to cause any cargo or part of a cargo, or any other matter or thing in the said city, that may be putrid, or in their opinion dangerous to the health of the said city, to be removed or destroyed.

17. No boat from any outward or inward bound vessel, shall land at the quarantine ground after sun set, nor shall boats of any description, at any time pass through the range of vessels lying at quarantine, without the permission of the health officer; and that any person offending against any of these directions, shall be considered as guilty of a misdemeanor, and shall be fined in a sum not exceeding fifty dollars.

18. No cotton which is the produce of the United States, or the territories thereunto belonging, shall be brought into the city of New-York, south of a line commencing at Spring-street, on the North River, running from the same to the Bowery, and thence down the Bowery to Grand-street, through Grand-street to Walnut-street, through Walnut-street to the East River, between the thirty-first day of May and the first day of October, in any year: And further, that all cotton on board of a vessel where any person is or has been sick of yellow, bilious, malignant, or any other pestilential or infectious fever, during the period last aforesaid, of any year, all damaged cotton, all cotton from foreign ports, or which, in the opinion of the board of health, health commissioners, or health officer, may be dangerous to the public health, shall be carried to the quarantine ground, and shall be there detained during the period aforesaid; nevertheless, such cotton may be shipped from the quarantine ground on board any outward bound vessel or vessels, which may proceed to the quarantine ground to receive the same, but after such cotton shall have been shipped on board such outward bound vessel or vessels, no such vessel shall, during the period last aforesaid, and while she has such cotton or any part thereof on board, approach the city of New-York nearer than the said quarantine ground, under the penalty of the said cotton being seized and sold by the health commissioners, for the benefit of the marine hospital;* and that all hides and skins arriving in the port of New-

* By an act, passed March 23, 1821, sound cotton may be transported, at any time,

York, between the thirty-first day of May and the first day of October, in any year, shall be discharged at the quarantine ground, and if in a sound state, may be taken to any place in said city north of said line, beginning at Spring-street on the North River, and along said street to the Bowery, and from thence down the Bowery to Grand-street, and through Grand-street to Walnut-street, and through Walnut-street to the East River; but it shall be lawful to bring sound hides and sound cotton, the produce of the United States or territories thereof, from the quarantine ground, or other places of deposit, by water only, to be immediately taken on board of vessels while lying on any of the wharves of said city, for exportation or transportation out of the said city: Provided, that they are not re-landed therefrom in said city, contrary to this act; and should either of the above articles be brought into said city contrary to the true intent and meaning of this act, they shall be seized and sold by the health commissioners, for the benefit of the marine hospital.

19. No lighters shall be employed to unload and load vessels at quarantine, but those permitted by the health officer.

20. It shall be the duty of the several branch pilots and their deputies, belonging to the port of New-York, to use their utmost endeavours to hail every vessel coming into the said port, and shall ask and demand of the master or commander of any such vessel, whether any person has died on board, or any person has been sick on the passage, or if any pestilential fever existed amongst the inhabitants of the port whence she sailed, and on being answered in the affirmative to any of the said questions, shall immediately give notice to the master or commander of such vessel, that he and his vessel, crew, passengers, and cargo, are subject to the examination of the health officer, and shall direct him to proceed and anchor his vessel at the quarantine anchorage, there to remain until he shall receive further directions from the health officer; and all such commanders of vessels are forbid to unload or put on shore, or on board of any boat or vessel, any goods, merchandise, or freight, or any clothing or bedding, or any person or persons, from his vessel, until permitted, pursuant to this act: and every master or commander of any vessel who shall give false information, relative to the condition of his vessel, crew, passengers, freight, or cargo, or the health of the place or places whence she came, when hailed by any pilot, or shall, notwithstanding being forbid by such pilot, bring his vessel nearer the city than the ground assigned for quarantine, or land any passenger, or unload any of his cargo, shall be considered guilty of a misdemeanor, and, on conviction thereof, shall be fined by the court having cognizance of the same, in a sum not exceeding two hundred dollars for each offence; and every passenger, or any other person on board such vessel, departing therefrom, or unloading any of the cargo thereof, without leave first obtained from the officer aforesaid, shall be considered guilty of a misdemeanor, and be punished, if convicted, in like manner as the master or commander last mentioned.

21. It shall be the duty of every pilot who conducts a vessel into the port of New-York, to take care that no violations of this act are committed by any person on board, and if any such are committed and not reported by such pilot to the health officer as soon as may be, such pilot shall be considered guilty of a misdemeanor, and shall be fined in a sum not exceeding two hundred dollars: And further, that it shall be the duty of every such pilot to deliver such printed extracts from this act as shall be entrusted to him by the health officer for that purpose, to every master of a vessel piloted by him into the port of New-York; and that every pilot for neglecting or refusing so to do, shall be deemed guilty of a misdemeanor, and punishable as last aforesaid.

22. Upon complaint being made in writing, by one or more of the health commissioners, to the wardens of the port of New-York, charging any pilot with neglect or violation of any of the duties herein prescribed or enjoined upon him, it shall be the duty of the said wardens of the port forthwith to suspend such pilot from piloting any vessel, until he shall have entered into recognizance before one of the justices of the peace for the city and county of New-York, in the sum of two hundred dollars, with sufficient sureties, to answer to the offence wherewith he is charged, at the next general sessions of the peace to be held in the city and county of New-York, which offence the said court is hereby

from the quarantine ground, through the East or North Rivers; but the vessel must not lie at anchor opposite the city, or come within 300 yards of any dock of the city, neither can the cotton be landed in New-York city.

Board of Health, February 25, 1822.—Resolved, that sound cotton, the produce of the United States, brought from the quarantine ground, or other places of deposit, which is now authorized by law to be taken on board of vessels lying at any of the wharves of this city, for exportation out of said city, may be landed on any of the said wharves, for the purpose of re-weighing, repairing, and preparing the bales of said cotton, provided that such cotton shall, in no case, be permitted to remain on said wharf or wharves more than six days before it shall be laden on board of such vessel, always subject to the inspection and controul of the board of health.

authorized to try and determine, and to impose such fine as they may deem proper, not exceeding the sum of two hundred dollars; and it shall be the duty of every pilot who shall conduct any vessel subject to quarantine, into the port of New-York, to bring said vessel to anchor within the buoys marking the quarantine anchorage, and every pilot neglecting or refusing to perform any duties required of him by this act, or permitting any vessel or boat to come alongside of such vessel, which such pilot shall have the direction of, or permitting any thing to be thrown into such vessel or boat, shall, in addition to the above penalties, forfeit for every such offence the sum of twenty-five dollars, to be recovered by the health commissioners, with costs, in an action of debt, in their own names, in any court having cognizance thereof.

23. The hospital erected on the easterly part of Staten Island, shall continue to be denominated the marine hospital, and shall, together with the other buildings and improvements made or to be made thereon by the said commissioners, with the approbation of the person administering the government of this state, or, in his absence, the mayor of the said city, and the land adjoining the same and belonging to the people of this state, be holden by the health commissioners in trust for the use of the people of this state, and the purposes specified in this act, and all vessels subject to quarantine shall come to anchor within the buoys, as near as may be to the said hospital, which is hereby declared to be the anchoring place for vessels at quarantine between the fifteenth day of April and the first day of November, and the remainder of the year off the Battery in the East or North River; that the said health officer shall be physician of the said hospital, and the said commissioners shall, in other respects, have the superintendence thereof, and employ mates, nurses, and attendants therefor, and provide bedding, clothing, fuel, provisions, medicine, and such other matters as shall be requisite therein; and it shall be lawful for them to make reasonable rules and orders for the government and management of the said hospital, and the said commissioners shall also at all times furnish a convenient boat for the use of the health officer, with men sufficient to row the same.

24. Every diseased person duly landed or sent to the marine hospital, shall be there kept and maintained, until the health officer shall grant him or her a discharge in writing; and if any such person shall elope, it shall be lawful for the health officer to direct any constable or other person, whom he shall call to his assistance, and they are hereby enjoined and required, to pursue and apprehend the person so eloped, and there again to deliver him or her to be detained until discharged as aforesaid; and any person, so eloping from the marine hospital, or any diseased person in the marine hospital refusing or neglecting to obey the directions of the health officer, and the orders and regulations of the health commissioners, shall be considered as guilty of a misdemeanor, and as such shall be punishable by any court having cognizance thereof.

25. All persons in the city of New-York, not being residents thereof, sick of a yellow, bilious, malignant, or other infectious or pestilential fever, and all things within the said city which, in the opinion of the health commissioners, shall be infected by or tainted with pestilential matter, and ought to be removed from the said city, shall, by order of any of the said commissioners, or by the board of health, be sent to the marine hospital.

26. All persons removed to the said marine hospital, other than those who have paid hospital money, shall be liable to pay a reasonable sum for their board, medicine, and attendance therein, and if any of them, deemed to have sufficient means, shall refuse or neglect to pay such sum as they may be reasonably charged with, the same shall be sued for and recovered from them by the said commissioners, by an action on the case, in their own names.

27. No person, unless authorized by the health officer or board of health, shall go within the inclosure of the quarantine ground, and that every person so transgressing shall be considered guilty of a misdemeanor, and fined in a sum not exceeding one hundred dollars, or imprisoned for a time not exceeding thirty days, by any court having cognizance thereof.

29. Every person keeping a boarding or lodging-house in the city of New-York, between the thirty-first day of May and the first day of November, in any year, shall, within twelve hours after any seafaring man or sojourner shall be sick in such boarding or lodging-house, report in writing the name of such diseased person to one of the health commissioners, or to the board of health; and that no master of a vessel, or any other person whatever, shall, between the days aforesaid, remove any sick person from any vessel lying at any wharf or in the harbour of the city of New-York, before the name of such sick person has been reported to one of the health commissioners, or to the board of health, and a written permit granted for the purpose of such removal by the said commissioners, or one of them, or by the board of health, and that any person neglecting or refusing to comply with either of these directions, shall be considered guilty of a misdemeanor, and be fined in a sum not exceeding two hundred and fifty dollars, or be imprisoned for a time not exceeding six months, by any court having cognizance thereof.

By sections 31 and 32, each captain and cabin passenger are compelled to pay one dollar and fifty cents, and every other person one dollar, on board of vessels arriving from

foreign ports; persons navigating coasters pay twenty-five cents per month. The latter must pay this money to the health commissioner within twenty-four hours after arrival under the penalty of one hundred dollars.

33. The compensation of the resident physician, and of the health commissioner, shall be to each of them one thousand dollars per annum, to be paid out of the moneys by this act appropriated for the use of the said marine hospital; and that the health officer shall be entitled to receive as physician to the said hospital the sum of four hundred and fifty dollars per annum, to be paid as aforesaid, and also for his services in searching and examining vessels from foreign ports, in pursuance of this act, the sum of six dollars and fifty cents for each vessel so by him examined, to be paid by the master or commander of the same; and the health officer shall also be entitled to receive from the master or commander of every vessel arriving in the port of New-York, from any port, island, or other place in the United States, south of Cape Henlopen, and which he shall visit pursuant to this act, the sum of three dollars for each vessel above one hundred and sixty tons; the sum of two dollars for each vessel not exceeding one hundred and sixty tons, nor less than one hundred tons; and the sum of one dollar for each vessel below one hundred tons, so visited by him: And further, it shall be lawful for the health officer to appoint an assistant, who may perform all the duties required of said health officer, but for whose conduct he shall be responsible; and such assistant shall take an oath well and faithfully to execute the duties of his said office.

40. All vessels having on board any person infected with any malignant or pestilential fever, or coming from any place whatsoever infected therewith, shall not come into any other of the ports or harbours of this state, until they shall have performed quarantine for such time and in such manner as the persons herein after mentioned shall think proper to direct, to wit: for the cities of Albany and Hudson, and upon Hudson River, opposite to the said cities, and within one mile above or below the same, the person administering the government of this state, and in his absence from the said cities, respectively, the mayor, and in his absence the recorder of the said cities, respectively, and for any town in this state, bordering or lying upon any port or harbour of this state, and upon the waters opposite to the same towns, any two or more justices of the peace residing therein; and if any person, subject to quarantine aforesaid, shall violate any of the regulations to be prescribed respecting the same as aforesaid, he shall be considered guilty of a misdemeanor, and shall be fined, by any court having cognizance thereof, in a sum not exceeding five hundred dollars.

NEW-JERSEY.

An act to prevent the introduction of malignant and other infectious diseases into the city of Perth-Amboy, passed February 3d, 1812.

Sec. 1. It is enacted, That all vessels arriving at the port of Perth-Amboy, between the thirty-first day of May and the first day of October, from any port, island, or other place in America, lying south of Georgia, or from any West-India, Bahama or Bermuda island, or from any port or place, where yellow or pestilential fever prevails, or on board of which vessel any person shall have died while at a foreign port, or on the homeward passage, shall come to anchor at some place being to the southward of a straight line drawn from the south ferry wharf in Perth-Amboy aforesaid, to the house of Caleb Ward, on Staten-Island, and shall be subject to the examination of the health officer, and to such regulations as may be deemed expedient by him, and that any master or commander of a vessel offending in the premises, shall be fined in a sum not exceeding one hundred dollars, or be imprisoned for a term not exceeding two months.

2. Whenever a vessel shall arrive at the anchoring place above mentioned, from a place where yellow or other pestilential fever prevails, or if during her voyage, any person has died or been sick on board with such fever, or if the health officer shall in any other case judge it necessary, the master, owner, or consignee, shall forthwith cause such vessel to be unloaded, cleansed, and purified, and that until then, no permit shall be granted for her to proceed nearer to the city of Perth-Amboy, and that every vessel under the above circumstances, arriving between the thirty-first day of May and first day of October, may be detained at quarantine for any time not exceeding twenty days after her cargo shall be discharged, and the said vessel thoroughly cleansed and purified to the satisfaction of the health committee hereafter named, and that every master, owner, or consignee, neglecting or refusing to comply with the provisions herein contained, shall be fined in a sum not exceeding one hundred dollars, or imprisoned for a time not exceeding two months.

3. The mayor, recorder, aldermen and commonalty, of the city of Perth-Amboy, shall have the power to appoint some fit person as health officer or visiting physician, whose

duty it shall be to visit all vessels arriving from the places or under the circumstances herein mentioned, and to report the same and the situation thereof to the health committee, and to direct, at the expense of the master, owner or consignee of all such vessels arriving as aforesaid, the manner in which the same shall be cleansed, ventilated, and purified, and when done, to certify the same to the health committee, and the said health officer shall be entitled to ask, demand, and receive of and from the master, owner, or consignee of all vessels arriving as aforesaid, the sum of five dollars, on visiting the same on arrival, and the sum of two dollars for every visit thereafter made at the request of such master, owner, or consignee, or of the health committee, to inspect such vessel after she shall have been cleansed, ventilated, and purified as aforesaid.

4. The mayor, recorder, and aldermen of the city of Perth-Amboy, for the time being, shall constitute a health committee, and shall be authorized to do and perform all such duties as may be necessary to carry this act into effect, and upon the report of the health officer, to grant a permit to any vessel arriving or circumstanced as aforesaid, to proceed to the city of Perth-Amboy, after she shall have been cleansed, ventilated, and purified, and the said health committee shall have power to forbid the intercourse with any vessel arriving as aforesaid, having on board persons sick of a pestilential or yellow fever, and to prevent any of the crew or passengers of such vessel (except the captain or master thereof, for the purpose of entry) from landing at the city of Perth-Amboy aforesaid; and every person offending in the premises, shall be fined in any sum not exceeding one hundred dollars, or be imprisoned for a term not exceeding two months.

PENNSYLVANIA.

An Act for establishing a Health Office, and to secure the City and Port of Philadelphia from the introduction of pestilential and contagious diseases, passed January 29, 1818.

A Board of Health is established, which is to be a body corporate, and to consist of eleven members, to be chosen annually on the second Monday of March, and to serve without compensation; Six members to be elected by the corporation of Philadelphia; Two by the commissioners of the incorporated part of the Northern Liberties; One by the commissioners of Penn township; One by the commissioners of Southwark; One by the commissioners of Moyamensing. In case appointments are not made on the day specified, they may be made afterwards; the Members of the Board are always eligible. In case of removal, their place is to be supplied. President, Secretary, and Treasurer, to be chosen from their own body. And the said Board shall sit upon their own adjournment as they shall find necessary, but shall meet at least once in every day between the first day of June and first day of October in every year. And the said Board shall have full power and authority to make general rules, orders, and regulations, for the government and management of the Lazaretto, and the vessels, cargoes, and persons there detained, or under quarantine, and of the Health Office and Public Hospitals, and for the mode of visiting and examining vessels, persons, goods, and houses; and shall also have power to appoint such officers and servants as may be necessary to attend the Health Office, the Lazaretto, and the City Hospital, and convey communications and supplies to the said Lazaretto and Hospital, and such other officers and servants as may be necessary for the preservation of the health of the district. *Provided*, that such officers and servants shall not hold any offices of profit or trust under the United States. And the governor is hereby authorized and required to appoint one physician, who shall reside at the Lazaretto, and be denominated the Lazaretto Physician, and one physician, who shall reside in the city of Philadelphia, and shall be denominated the Port Physician, one health officer, and one quarantine master, all of whom shall be under the direction and control of the Board of Health, and shall be removed from office by the governor at the request of the majority of the members of the Board of Health.

The following fees are to be paid to the health officer on the arrival of vessels, who is to pay the same to the treasurer of the Board. All American vessels sailing under coasting documents, arriving at the port of Philadelphia, from any port or place in the United States, between the river St. Croix and the river St. Mary, (except ports or places between Sandy Hook and Cape Charles) shall pay two dollars and fifty cents for each arrival, during quarantine months, and the said vessels during that time shall (if having goods capable of containing contagion, persons, baggage, or clothing, from any foreign port or place, or any diseased person) stop at the Lazaretto, and there be examined by the Lazaretto physician and quarantine master, under the rules, regulations, and penalties in this act contained. And all American vessels from any port in the United States where they may have touched or traded from a foreign port or place, shall

pay the same sum as if they had arrived direct from such port or place. And all American vessels with coasting documents, arriving from any port or place between Sandy Hook and Cape Charles, including the bay and river Delaware, during quarantine months, having on board merchandise of foreign growth or manufacture, or persons, baggage, or clothing, from any foreign port or place, or from any place to the northward or eastward of Sandy Hook, or westward of Cape Charles, shall stop at the Lazaretto for examination, under the rules, regulations, and penalties in this act contained, and shall pay for each arrival during quarantine months two dollars and fifty cents. All American vessels arriving from any port or place in New Brunswick, Nova Scotia, Canada, or the islands or ports adjacent to the river St. Mary's, the coast of Florida, Bay of Mexico, including New Orleans and parts adjacent, and from thence along the Bay of Honduras and coast of Terra Firma, as far as the river Amazon, including all the islands generally denominated West India, Bahamas or Bermudas, shall pay on arrival five dollars. All American vessels arriving from any place in Europe, in the Western Madeira, Canary or Cape Verd islands, the west coast of Africa as far as latitude thirty-four degrees south, and from any place in the Mediterranean or straits thereof, or from any place from the river Amazon inclusive, and round the coast of Brazil as far as latitude thirty-four degrees south, shall pay ten dollars each. And all American vessels arriving from any place beyond latitude thirty-four degrees south, or round Cape Horn, or the Cape of Good Hope, shall pay twenty dollars each. And all foreign vessels arriving as aforesaid, (except prizes to American vessels,) shall pay twenty-five per cent. each, additional, unless otherwise regulated by any treaty. And prize vessels taken by foreign armed vessels, shall pay twenty-five per cent. each, more than is paid by American vessels. And prize vessels taken by American vessels, shall pay on arrival ten dollars each. And public armed vessels and privateers shall pay six dollars each. And any vessel of the burthen of one hundred and fifty tons and upwards, arriving at the Lazaretto, from any foreign port or coastwise, may come to in the outer channel, as near to the west end of the island of Little Tinicum, opposite the Lazaretto, as her draught of water, wind and weather, will permit, for the purpose of receiving the visit from the Lazaretto physician and quarantine master, and if the said vessel does not receive her visit in the inner channel, she shall pay an additional sum of five dollars, of which two dollars shall be paid to the Lazaretto physician, and one dollar to the quarantine master, as a compensation for their extraordinary services, and two dollars shall be paid into the treasury of the Board.

4. Every ship or vessel coming from any foreign port or place bound to the port of Philadelphia, between the first day of June and the first day of October in every year, shall come to anchor in the river Delaware as near the Lazaretto as the draught of water and the weather will allow, before any part of the cargo or baggage be landed, or any person who came in such ship or vessel shall leave her, or any person be permitted to go on board, and shall submit to the examination hereinafter directed : and if any master, commander, or pilot, shall leave his station before the said Lazaretto, or if any master or commander shall permit or suffer any part of the cargo or baggage, or any person or persons arriving in such ship or vessel from any port beyond the limits of the United States, to be landed on either shore of the Delaware bay, or river, or suffer any person, except the pilot, to come on board before such examination be duly had, and a certificate obtained as is hereinafter specified, the person or persons so permitting, and the person or persons so landed or going on board (unless imminent danger of the loss of the vessel or lives of the crew shall render assistance necessary,) shall pay a fine not exceeding five hundred dollars ; and it shall be the duty of the Lazaretto physician and quarantine master, so soon as any ship or vessel shall be anchored near the Lazaretto, between sun rise and sun set, immediately, wind and weather permitting, to go on board the same, and there thoroughly examine in such form and manner as shall be prescribed by the Board of Health, the said ship or vessel, the crew, passengers, cargo, and baggage on board the same, and to demand answers under oath or affirmation to be administered by either the said physician or quarantine master, who are hereby severally empowered to administer the same, to all such questions as shall be put to any person on board such ship or vessel touching the health of the crew and passengers during the voyage, and the nature and state of the cargo as the Board of Health by their rules shall from time to time direct to be asked ; but it shall be the duty of the person so examining on oath or affirmation, before he shall proceed therein to make known to the person interrogated the penalty imposed by this act upon the person who shall give false answers under oath or affirmation to the questions proposed in such examination, and if upon such examination it shall appear to the said physician and quarantine master, that the said ship or vessel came from a port or place at which no malignant or contagious disease prevailed at the time of her departure, that the persons on board such ship or vessel are free from every pestilential or contagious disease, (the small pox and measles excepted,) and that the said vessel has had no malignant disease on board either during the homeward bound voyage or during her continuance in a foreign port, and they shall see no cause to suspect that the cargo or any part thereof is infected, they shall forthwith deliver to the master or captain of such ship or vessel, a certificate of the facts



in such form as shall be directed by the Board of Health, and the said captain or master may thereupon proceed according to his destination, and shall present such certificate at the Health Office in Philadelphia within twenty-four hours after his arrival and safely mooring there; but if it shall appear upon such examination that the ship or vessel came from a port or place at which a malignant or contagious disease prevailed, such vessel shall be detained at the Lazaretto for such time as the Board of Health shall deem necessary, not exceeding twenty days; and the letter-bag of the vessel when purified, and such letters as the master, commander, or passengers, shall think proper to write to their owners, consignees, or friends, shall be transmitted to the Health Office in Philadelphia, who shall safely deposit the same in the post office. And thereupon the Board of Health shall determine and direct what measures shall be pursued to cleanse the vessel and cargo, purify the clothing and baggage, and restore the health of diseased persons on board, which direction shall be carried into execution under the inspection of the Lazaretto physician and quarantine master, at the expense of the master, owners, or consignees, of the vessel and goods respectively, in such manner as by the said orders shall be directed: *Provided always*, That wine, rum, salt, sugar, spirits, molasses, mahogany, manufactured tobacco, dye woods, preserved fruits, and such other articles as the Board of Health shall by their general regulations specify and permit, may be conveyed immediately to the city in lighters; and at the expiration of the said time, if it shall appear to the said physician and quarantine master, that no person has been sick with a malignant or contagious disease, (the small pox and measles excepted,) on board said ship or vessel, either during the voyage homeward, or during her continuance in a foreign port, nor any of the crew or passengers, or other person from on board such vessel during the performance of quarantine, and the said physician and quarantine master shall certify the said facts to the Board of Health; and that in their opinion the vessel, crew, cargo, and passengers, may be safely suffered to proceed to the city, the said captain or master may proceed with the same according to his destination, unless the Board of Health shall deem it necessary to cause a further detention of the said vessel or cargo, or of the crew or passengers, or of any baggage on board said vessel, in which case the same shall be detained until the Board of Health shall authorize the same to proceed and enter the city; and upon the arrival of the said captain or master at Philadelphia, he shall present the said certificate of the physician and quarantine master at the Health Office within twenty-four hours after his arrival; but if upon examination of any vessel by the said physician and quarantine master as aforesaid, or during the performance of quarantine by any vessel, it shall appear to the said physician and quarantine master that there has been any person sick on board the said vessel with any malignant or contagious disease, either during the voyage homeward, or during the continuance of the vessel in a foreign port, or during the performance of quarantine at the Lazaretto, (or that any person on board such vessel has been affected with such disease,) then in such case the vessel shall be detained such further time as the Board of Health may deem necessary, and the cargo and baggage, except such part thereof as in the opinion of the Board of Health may be supposed incapable of retaining infection, which said part may be transported to the city in lighters, shall, unless otherwise ordered and directed by the Board of Health, be unladen and thoroughly cleansed and purified, and the crew and passengers which were on board the said vessel, and the cargo and baggage on board the same, or any part thereof, except as before excepted, shall not be suffered to enter the city before the first day of October then next ensuing, without the license and permission of the Board of Health to that effect first had and obtained: *Provided nevertheless*, That such ship or vessel, after she shall have been thoroughly cleansed and purified, if no malignant disease appear on board, may be allowed to take in freight at the Lazaretto by means of lighters, and proceed to sea; and if any master or captain, or other person, on board of any vessel which shall be examined agreeably to this law, shall not true answers make to all such questions as the Lazaretto physician and quarantine master, or the said Health Officer or port physician shall ask, agreeably to this act, or the rules heretofore established, or which shall from time to time be established by the Board of Health in conformity with this act, or shall knowingly deceive, or attempt to deceive, the proper officers as aforesaid, in his answers to their official inquiries, he having been duly informed and apprised of the penalties imposed by this act on the person so offending previous to his said examination, by the person making such examination, such person for each and every offence, being thereof legally convicted, shall forfeit and pay a sum not exceeding five hundred dollars, and moreover shall be sentenced to imprisonment at hard labour for any term not less than one year and not exceeding five years. And if any captain or master of any ship or vessel, shall neglect to present his certificate at the Health Office, in any case in which he is herein directed so to do, within the time directed by this act, he shall forfeit and pay the sum of three hundred dollars. And if any captain or master of any ship or vessel, or any other person on board the same, shall refuse or neglect to comply with the directions of the Lazaretto physician or quarantine master, which shall be made agreeably to this act, or the regulations of the Board of Health, with respect to the detention of any ship or vessel, or the lading from on board the

same, of any person or persons, or of any goods, merchandise, bedding, baggage or clothing, or shall refuse to carry the same into effect, such person for each and every such offence shall forfeit and pay a sum not exceeding five hundred dollars, nor less than two hundred dollars.

5. Any ship or vessel coming from any port or place within the United States, at which port or place the said ship or vessel had only called in or touched upon her arrival from a foreign port or place, shall be liable and subject to all the rules, regulations, and restrictions of the preceding sections of this act, and shall be examined and treated as well the vessel itself as the cargo, crew, passengers and baggage, on board; in the same manner as if such ship or vessel had directly arrived at the Lazaretto from a foreign port or place without having first touched at a port or place within the United States; and all ships or vessels, as well vessels of war as merchant vessels, coming from any port or place within the United States, and bound to the port of Philadelphia, between the first day of June and the first day of October in every year, and having on board any goods or merchandise, the growth or produce of any foreign place or country, or any persons' bedding or clothing, from any foreign port or place, shall come to anchor opposite the said Lazaretto, and shall be examined by the said Lazaretto physician and quarantine master, and if the captain or master of any such ship or vessel shall produce such satisfactory proof as the Board of Health shall in that case direct to be required, that the said goods or merchandise shall have been landed in the U. States more than twenty days, and are free from damage, and that the said vessel, bedding, clothing, and persons, are free from the infection of any dangerous contagious disease, (the small pox and measles excepted,) then and in that case the said physician and quarantine master shall give to the captain of such ship or vessel a certificate of the facts, permitting such ship or vessel to proceed to the city, which certificate the said captain or master shall present at the Health Office in Philadelphia, within twenty-four hours after his arrival, and safely mooring there; and if he should neglect so to do, being thereof legally convicted under this act, he shall be sentenced to pay a fine of two hundred dollars; and if the said captain or master shall fail to produce such satisfactory proof as aforesaid, of the wholesome state of the said vessel, goods, merchandise, bedding, clothing, and persons, the said vessel, goods, merchandise, bedding, clothing, and persons, shall be detained at the Lazaretto, and shall be proceeded with in the same manner, and subject to the same orders and regulations as are herein before provided and directed in the case of vessels coming directly from a foreign port or place; and if the captain or master of any such ship or vessel coming from any port or place within the United States, and bound to the port of Philadelphia, having on board any goods or merchandise, bedding, clothing or persons, as aforesaid, shall refuse or neglect to come to anchor opposite the Lazaretto, and shall pass the same with intent to proceed to the city without examination by, and certificate obtained from, the said physician and quarantine master as aforesaid, he shall, on conviction, forfeit and pay the sum of five hundred dollars, and the said vessel, goods, merchandise, bedding, clothing, and persons, shall be sent back to the Lazaretto, there to be proceeded with in such manner as the Board of Health agreeably to this act, shall in that case devise and direct.

6. Every ship or vessel coming from the Mediterranean, shall be subject to a strict examination, under similar regulations and penalties, as are provided in the fourth section of this act, and if it appears that the said ship or vessel came from any place where the plague existed at the time of her departure, or has spoken with any vessel on board of which, any person was affected with the plague, or if any person is affected with the said disease on his arrival at the Lazaretto, or has been affected during the voyage, the said vessel shall not be suffered to proceed to the city, the cargo and baggage shall be unloaded and thoroughly cleansed and purified, and no part shall be suffered to enter the city without the permission of the Board of Health first obtained; and the crew and passengers shall perform a quarantine of not less than twenty days, nor more than forty, at the discretion of the Board of Health: *Provided nevertheless*, That such ship or vessel after she shall have been thoroughly cleansed and purified, may be allowed to take in freight at the Lazaretto by means of lighters, and proceed to sea.

7. Any person or persons, and all goods, merchandise, bedding and clothing, arriving at any port or place, within the United States, from any foreign port or place at which any malignant or contagious disease, (the small pox and measles excepted,) prevailed at the time of their departure, or in any vessel in which any such disease existed while they were on board the same, are hereby prohibited from entering the city or county of Philadelphia, or the county of Delaware, (except the township of Tinicum,) at any time between the first day of June and the first day of October in any year, either by land or water, without permission of the Board of Health first had and obtained, under the penalty of five hundred dollars for each and every offence, and the forfeiture of all such goods, merchandise, bedding or clothing; and that all goods, wares, bedding, clothing, and merchandise, seamen or passengers, landed from on board any ship or vessel belonging to the port of Philadelphia at any other port of the United States, shall be subject to perform twenty days quarantine, previously to entering the city or county of Phi-

Philadelphia, under the same penalty as in the fifth section, without permission first obtained from the Board of Health.

8. No person or persons, goods, wares, merchandise, bedding or clothing, from any port or place at which any malignant or contagious disease (the small pox or measles excepted) prevailed at the time of their departure, or from on board any vessel in which any such disease existed, while they were on board, shall enter or be brought into the city or county of Philadelphia at any time between the first day of June and the first day of October in any year, by land or water, without the permission of the Board of Health first had and obtained, under the penalty of any sum not exceeding five hundred dollars for each and every such offence, and the forfeiture of all such goods, wares, merchandise, bedding, and clothing.

9. Whenever the Board of Health shall receive information that any malignant or contagious disease (the small pox and measles excepted,) prevails in any port or place within the United States, or on the continent of America, they shall make diligent inquiry concerning the same, and if it shall appear that the disease prevails as aforesaid, all communication with such infected port or place, shall be subject to such control and regulations as the Board of Health may from time to time think proper to direct and publish in one or more newspapers published in the city of Philadelphia, and thereupon every person or persons, and all goods, wares, merchandise, bedding and clothing, from such infected port or place, and having entered and brought into the city and county of Philadelphia, contrary to such regulations, shall be subject to the penalties and forfeitures provided by the next preceding section of this act; and all vessels from such port or place, and bound to the port of Philadelphia, shall stop at the Lazaretto, and be proceeded with in the same manner, and under the same penalties and forfeitures, as are provided in cases of vessels coming from foreign ports; and every person or persons having entered or been brought into the city or county of Philadelphia, from such infected port or place aforesaid, shall also be conveyed by any person authorized by the Board, to such place for purification, as the said Board may appoint or direct for that purpose, and be there detained at the pleasure of the Board any time not exceeding twenty days, and at the expense of such person or persons; and if the said Board shall have cause to suspect that any person or persons at the time, within the city and county of Philadelphia, have been at such infected port or place within fifteen days since such disease prevailed at such port or place next preceding, the said board may lawfully require such person or persons to render satisfactory proof of their place or places of abode during the said period; and if such person or persons neglect or refuse to render such proof, or fail in proving their residence other than at such infected port or place, every such person shall be dealt with, by purification and detention, as persons coming from such infected port or place.

11. It shall be the duty of the Lazaretto physician, immediately on the arrival of any ship or vessel liable to be detained at the Lazaretto in order to be cleansed and purified as aforesaid, to cause the sick, if any on board, to be removed to the building which shall be appointed by the Board of Health for their reception, and diligently and impartially with his best skill to attend upon and administer medical assistance to each and every sick person that shall be therein lodged, and generally to superintend and cause, to be executed such orders and regulations as the said Board shall from time to time ordain for the government and management of the Lazaretto, and of the vessels, cargoes, and persons, under quarantine.

12. It shall be the duty of the quarantine master, immediately after the arrival and examination as aforesaid of any ship or vessel liable to be detained at the Lazaretto for purification as aforesaid, to direct and cause such ship or vessel to be properly moored near the Lazaretto at such distance from any vessel or vessels, under quarantine, as may prevent the communication of any infectious disease to or from the same. And the cargo, bedding, and clothing, or any part thereof contained in such ship or vessel to be landed, cleansed, and purified, under the direction of the Lazaretto physician; and it shall be the particular duty of the said quarantine master to prevent any personal intercourse between the persons on board different vessels under quarantine, and for that purpose to take possession and secure the boats of such vessels from sunset to sunrise of the succeeding day, until their respective terms of quarantine shall be completed. To preserve and enforce order and obedience to this act, and all such orders and regulations as the board of health shall, from time to time, ordain for the government of the Lazaretto, and the persons, vessels, and cargoes, under quarantine.

13. It shall be the duty of the port physician, upon receiving information from the health officer, or other person whomsoever, that any person or persons on board of any ship or vessel in the port of Philadelphia is or are afflicted, or suspected to be afflicted, with any pestilential or contagious disease, or that there is just cause to suspect that the cargo or any part thereof, contained in any such ship or vessel, is infected with any such disease, the said physician, in either of the foregoing cases, shall visit and carefully examine such ship or vessel, and if he shall discover any sick person or persons on board any such ship or vessel, he shall thereupon have and exercise the authority to direct such sick person or persons to be removed to the said Lazaretto, or to some other safe

place which may be specified by the board of health. And the said physician shall, without delay, report the state of said vessel, cargo, and crew, to the board of health, who shall direct and determine how the crew, passengers, vessel, and cargo, shall be disposed of and managed for the restoration of their health and purification. And on the arrival of any ship or vessel in the port of Philadelphia, from any foreign port or place, from the first day of October, in any year, to the first day of June, in the next succeeding year, it shall be the duty of the said physician, provided such ship or vessel shall not have been previously visited and examined by the physician resident at the Lazaretto, and quarantine master, and before any of the passengers, crew, cargo, or baggage, are landed, to visit and carefully examine such ship or vessel in manner and form as the said Lazaretto physician and quarantine master are bound to do, and to demand answers under oath or affirmation to be administered by the said port physician, who is hereby empowered to administer the same in conformity with this act. And if the crew, passengers, vessel, and cargo, be in a healthy state, and if there shall be no ground to suspect that any of the crew or passengers have died in the voyage of any dangerous contagious disease, (the small pox and measles expected) or that the cargo, bedding, or clothing, is infected, then and in such case the said physician shall give to the master or commander a certificate of the facts, which the said master or commander shall present at the Health Office within twenty-four hours after such examination; and if he shall neglect so to do, being thereof legally convicted under this act, he shall be sentenced to pay a fine of two hundred dollars, to be recovered and appropriated as is herein provided and directed. And if on examination, any suspicion shall arise in the mind of the said physician touching the health of the crew or passengers, or the infectious state of the vessel, cargo, bedding, or clothing, on board, no part thereof shall be landed, but the said physician shall immediately report the same to the Board of Health, who shall direct and determine what measures shall be pursued relative thereto. And the said physician upon request of the Health Officer, or the Board of Health, shall, from time to time, visit and examine such houses and persons as the said Board, or the Health Officer, shall have reason to suspect are infected with any dangerous contagious disease, and make report thereof to the said Health Officer. And every ship or vessel, so as aforesaid, arriving at the port of Philadelphia, shall be visited by the port physician previously to her being hauled to any wharf within the city or district aforesaid, or Wind Mill island; and every captain or other person so hauling such ship or vessel to any wharf as aforesaid, shall for each and every offence forfeit and pay the sum of two hundred dollars, to be sued for and recovered as herein provided, unless it shall be made appear by such captain or other person that there was at the time imminent danger of the loss of such ship or vessel, or of the passengers or crew thereof.

14. It shall be the duty of the Health Officer at seasonable and proper hours on each day (Sundays excepted) to open and keep a public office at such convenient place in the city of Philadelphia as shall be directed by the Board of Health, whereat all masters or captains of ships or vessels shall deliver the certificates of bills of health to them granted by the Lazaretto physician and quarantine master, or port physician as aforesaid. And the said Health Officer shall file and preserve in good order all the certificates or bills of health so delivered, and shall keep a register of the ships or vessels, and the names of the captains or masters, owners or consignees, for which the same were respectively granted, the port or ports from which the ship or vessel respectively sailed, or at which they touched during their respective voyages, and the number of persons on board thereof respectively at the time of their leaving their respective ports of departure, and also at the time of their arrival respectively at the port of Philadelphia. And the said health officer shall attend the health office at the meetings of the board of health, and at such other times as shall be required for discharging the duties of his appointment, and generally enforce and execute the regulations and instructions of the board of health. And it shall be the duty of the said health officer to collect, recover, and receive all forfeitures and penalties imposed, and sums of money directed to be paid by this act.

15. The letter mail shall, during the quarantine season, leave the Lazaretto for the health office, in the city of Philadelphia, and return twice in each juridical day, at such hours as the board of health shall determine, and shall be free for the transmission of letters to and from persons who may be within the bounds of the Lazaretto, or on board of vessels which may be detained there; and it shall be the duty of the health officer immediately after the arrival of the Lazaretto mail, to deposit in the post office the letters received thereby, excepting those which shall be addressed to the board of health and the officers connected therewith.

16. Every diseased person duly landed or sent to the Lazaretto, by either of the aforesaid physicians, quarantine master, or health officer, shall be there kept and maintained until the Lazaretto physician shall grant him or her a discharge in writing, and if before obtaining a discharge as aforesaid, any such person shall elope, or otherwise absent himself or herself from the Lazaretto, it shall be lawful for the health officer, or any constable or other person whom he shall call to his assistance, to pursue and apprehend the person so escaping or absenting himself or herself from the Lazaretto, and there again de-

river him or her to be detained until duly discharged as aforesaid; and moreover the person so eloping and absenting himself or herself shall, for each and every offence, suffer such temporary confinement in the Lazaretto, not exceeding three months, as the board of health shall ordain and award; and if any master or captain shall knowingly receive or employ on board of his ship or vessel, or if any housekeeper or other inhabitant of this commonwealth shall knowingly receive, harbour, or in any way entertain any person so eloping or absenting from the Lazaretto, each and every master and captain, and each and every housekeeper or inhabitant so respectively offending shall, on being thereof legally convicted, forfeit and pay a sum of two hundred dollars; and if any person, arriving in or belonging to any ship or vessel detained at the Lazaretto as aforesaid, shall elope or absent himself or herself, without having first obtained a discharge, signed by the Lazaretto physician and quarantine master, or if any person other than those detained at the Lazaretto as aforesaid, shall go on board or alongside of any ship or vessel whilst under quarantine as aforesaid, or if any person not authorized by the board of health shall go within the limits of the Lazaretto, such person or persons shall perform such quarantine as the board of health may direct, the person so offending, upon legal conviction of such offence, shall forfeit and pay the sum of two hundred dollars, to be recovered and appropriated as hereinafter directed; and if any diseased or other person landed and sent to the Lazaretto by any officer having authority to do the same, or any person arriving in or belonging to any ship or vessel detained at the Lazaretto as aforesaid, shall refuse or neglect to obey the directions of the Lazaretto physician or quarantine master respectively, agreeably to this act, and the order and regulations by the board of health, which shall, from time to time, be ordained and established for the government and management of the Lazaretto, and the persons, vessels, and cargoes under quarantine, the person so refusing or neglecting shall, for each and every offence, on being thereof legally convicted, forfeit and pay the sum of two hundred dollars, to be recovered and appropriated as hereinafter directed; and the expense and charge of boarding, lodging, nursing, medicine, maintenance, and other necessities, which shall have been provided for the diseased persons landed and sent to the Lazaretto as aforesaid, and also of burying them in case of their death, shall be paid and discharged by the importer, master or captain, owner, or consignee, of the ships or vessels respectively in which such diseased persons were respectively imported, agreeably to the rates in that behalf by the board of health to be ordained and established: Provided always, nevertheless, that when the diseased persons are passengers and not servants, the said expense and charges shall be repaid by them, their executors, or administrators, to the captain or master, owner, or consignee, who shall pay and satisfy, or be bound to pay and satisfy the same as aforesaid.

17. When any vessel shall come up to the city of Philadelphia, or the shores of Southwark, or the Northern Liberties, although the said vessel may have obtained a certificate of health from the Lazaretto physician and quarantine master, or the port physician, if the said vessel shall appear to the board of health to be infected with any contagious disorder, dangerous to the community, the said board are hereby authorized to order the said vessel to the Lazaretto, there to undergo the necessary purification before she will be permitted to return to the city or the shores aforesaid. And the said board are hereby authorized and empowered to remove any vessel or vessels from any part of the city or shore aforesaid as shall be infected with such disorders as aforesaid, to such convenient distance as they may deem proper, although such vessel may not be infected.

23. Whenever the said board of health shall receive information that any contagious disease rages in any port or place within the United States, or on the continent of America, they shall make diligent inquiry concerning the same; and it shall and may be lawful for the said board to prohibit and to prevent all communication by land and water with such infected ports or places, by stopping all vessels coming into the port of Philadelphia, and at and before the Lazaretto, in the same manner and under the same penalties and forfeitures as are hereby provided in cases of vessels coming from foreign ports, and by stopping all persons coming from said infected places, in such manner as the circumstances and exigencies of the case shall require.

24. No master of a vessel or other person from any vessel whatsoever, shall remove any sick person lying in the river Delaware, before the city of Philadelphia, the district of Southwark, or the township of the Northern Liberties, before such sick person has been visited by the port physician, and a written permit granted by him for the purpose of such removal. And any person neglecting or refusing to comply with the provisions of this act, shall, on legal conviction thereof, be subject to a fine not exceeding fifty dollars, or to imprisonment for any term not exceeding three months.

28. If any person shall wilfully and knowingly obstruct or resist the board of health, or any of the members thereof, or any persons by them appointed in the execution of the powers to them given, or in performance of duties enjoined on them by this act, and the rules and regulations of the said board, such person shall, on being thereof legally convicted, forfeit and pay a sum not exceeding five hundred dollars, to be recovered and ap-

propriated as is hereinafter directed. And if, after the expiration of the quarantine, any mariner or other person, who shall have complied with the regulations hereby established, shall commit any violence on the person of a member of the board of health, or any of the officers, attached to the same, for any thing done in the execution of his duty, such person shall be subject, on conviction thereof, to a fine of two hundred dollars, and shall also be sentenced to imprisonment at hard labour for any term not exceeding three years.

30. And the quarantine master shall accompany the Lazaretto physician on the arrival of vessels at the Lazaretto, and shall have them moored, and, when necessary, well cleansed and white-washed, for which he shall be paid in addition to his salary, by the master, owner, or consignee, and shall be allowed to charge for lime and brushes the usual prices at which such articles are retailed in the city of Philadelphia, (he shall also be authorized to receive all letters and papers to be forwarded to Philadelphia by the Lazaretto mail, and by any other conveyance he may think proper,) and no person shall be permitted to go on board any vessel under quarantine, except the Lazaretto physician and quarantine master, unless at the request of either of them to perform some necessary service.

31. All actions or prosecutions, to be commenced against any master, captain, owner, or consignee of any ship or vessel, or other person, by virtue of this act, shall be brought within twelve months next after the commission of the offence, wherewith he is charged, at any trial to be had thereupon. And for the payment and satisfaction of all forfeitures and penalties which are imposed, and all sums of money directed by this act to be paid by the masters, captains, owners, or consignees, as well the ships or vessels respectively, as the captains, masters, owners, or consignees thereof, shall be and are hereby declared liable.

A Supplement to the foregoing act, passed April 2d, 1821.

Sec. 1. Vessels from the southward of Cape Fear, are subject to examination from the first of June to the first of October, and their officers subject to the same restrictions and penalties as if from foreign ports. Lazaretto physician and quarantine master are to perform their usual duties; and the penalty extended to all persons giving false answers.

2. Between the first day of June and the first day of October, every ship or vessel coming from a port or place in the United States, bound to the port of Philadelphia, and from which ship or vessel shall have been, within thirty days then next preceding, unladen, the whole or a part of the cargo or baggage, brought in the said ship or vessel from some foreign port or place, every such ship or vessel shall be liable and subject to all the rules, regulations and restrictions of the said fourth section of the said act to which this is a supplement, and shall be examined and treated, as well the vessel itself as the cargo, crew, passengers, and baggage on board, in the same manner as if such ship or vessel had brought the same cargo, crew, passengers, or baggage, directly from such foreign port or place, and had the same then on board at the Lazaretto.

3. Between the first day of June and the first day of October, no ship or vessel which shall be laden with or have on board, any vegetables, fish, or hides, shall be unladen at the port of Philadelphia, until a permit shall be applied for and obtained from the board of health. And if any master, captain, owner or owners, consignee or consignees, or other persons, shall presume to unlade from on board of any such ship or vessel, any vegetables, fish, or hides, without first having applied for and obtained a permit from the board of health, every such master, captain, owner or owners, consignee or consignees, or other person, so offending, shall pay a fine not exceeding five hundred dollars.

4. Between the first day of June and the first day of October, within forty-eight hours after the discharge of the cargo of every ship or vessel at the port of Philadelphia, it shall be the duty of the captain or master, owner or owners, consignee or consignees, and other person, having the direction of the discharge of the same, under the penalty of one hundred dollars, to be recovered and appropriated as by the act to which this is a supplement, is directed to give, or cause to be given, to the board of health, notice that the same cargo is discharged, and to permit and suffer the board of health, by themselves or by their lawful agent by them for that purpose appointed, to examine the condition of the hold, ballast, and limbers of such ship or vessel. And if the board of health shall deem it for the safety and health of the city of Philadelphia, they are hereby authorized and empowered to designate a proper place to which the said ship or vessel shall be taken, and that her hold, ballast, and limbers, shall there be cleansed and purified, or at the expense of such captain or master, owner or owners, consignee or consignees, or other person, having the direction of the discharge of the cargo, to send, or cause to be sent, such ship or vessel to a proper place, and have her hold, ballast, and limbers, cleansed and purified.

MARYLAND.

An act to oblige infected ships and other vessels coming into this province to perform quarantine.

By an act passed November 1766, it is enacted,

That no ship or vessel whatsoever, coming into this province after the first day of May next, and in which ship or vessel there shall be imported more than thirty servants or passengers, shall be admitted to make her entry, or land or put on shore any goods, passenger or servant, before the master, together with two other creditable persons, shall make oath before the collector, or naval officer, with whom such vessel or ship shall first enter, "that neither the small pox, gaol fever, yellow fever, flux, or any such dangerous infectious distemper, is or hath been on board such ship or vessel on her passage, to the knowledge or belief of such captain, or other persons taking such oaths respectively;" which oath the said collector or naval officer is hereby empowered and directed personally, or by their deputies to administer; and certificate thereof give without fee or reward.

Note. By the constitution, sec. 33, the governor may order and compel any vessel to ride quarantine, if such vessel, or the port from which she shall have come, shall, on strong grounds, be suspected to be infected with the plague; and by 1793, ch. 34, sec. 2, when the governor has strong grounds to apprehend that there is danger of the plague, or other malignant contagious disease being introduced from foreign parts, or from any of the United States, he may compel any vessel to ride quarantine, and forbid all intercourse by land or water, and make the necessary regulations, &c.

Sec. 3. In case any such ship or vessel shall be offered to be entered, and such oath shall be refused to be made, or delayed for the space of forty-eight hours thereafter, that then the officer to whom application shall be made for entry as aforesaid, shall, and he is hereby enjoined and strictly required, immediately thereupon to transmit and send a full and distinct account and information thereof to the governor or commander in chief of this province, for the time being; and on such information given as aforesaid, such ship or vessel shall be obliged to make her quarantine in such place or places, for such time, and in such manner, as from time to time shall for that purpose be directed by the governor or commander in chief of this province for the time being, and that during the said time, and until the said ship or vessel shall be discharged of and from such quarantine, no person coming, or goods imported therein, shall come or be put on shore, or go on board any other ship or vessel within this province, nor shall any person go on board such ship or vessel, obliged as aforesaid to make quarantine, without license first had and obtained from the governor or commander in chief for the time being, in such manner, and under such limitations and restrictions, as he shall think fit to grant or allow the same; and that in case there shall be any breach of the said quarantine in any respect, the master, commander, chief officer, or person having the charge of such ship or vessel, without such license as aforesaid, shall, if a free person, forfeit and pay one hundred pounds sterling, to be recovered, with full costs of suit, in any court of record within this province, by action of debt, bill of indictment, plaint or information, wherein no essoin, protection, or wager of law, or more than one imparlance, shall be allowed, and if a servant or slave, suffer such corporal punishment, by whipping, not exceeding thirty-nine stripes, as by two justices of the peace shall be ordered and adjudged, upon complaint and proof of such offence.

4. The master or commander of every ship or vessel importing above the said number of passengers or servants into this province, after the said first day of May next, shall, before the said ship or vessel shall be admitted to make her entry, discover and disclose to the collector, and naval officer aforesaid, the number of passengers and servants imported in such ship, and if the master or commander of any such ship or vessel shall not make such discovery as aforesaid, he shall forfeit and pay one hundred pounds sterling, to be recovered as aforesaid.

5. Any master or commander of a ship or vessel, importing above the said number of passengers or servants as aforesaid, who shall land or put on shore any passenger, servant, or goods, from on board such ship, or shall sell any servant imported in such ship, and also every person who shall buy such servant, or knowingly entertain in his or her house, any passenger or servant, or receive any goods imported in such ship, before certificate obtained of such oath being made as aforesaid, shall respectively forfeit and pay twenty pounds sterling, to be recovered as aforesaid.

6. And, whereas dangerous infectious distempers frequently break out in ships and vessels importing passengers and servants into this province, on the arrival here, after healthy passages, be it therefore enacted, that even after such certificate obtained as aforesaid, if it shall be made appear to the governor or commander in chief of this province for the time being, by proof, on oath of at least two creditable witnesses, that the

passengers or servants imported in such ship or vessel, or the crew thereof, or any of them, are or is infected with, or have the gaol or yellow fever, or any such dangerous infectious distemper, the governor or commander in chief may thereupon order such ship or vessel to perform quarantine in the manner aforesaid, and under the same penalties as herein before mentioned, to all persons concerned.

7. Any person whatsoever falsely and corruptly making the oath aforesaid, shall and may be prosecuted in the same manner, and suffer the like punishment, as for wilful and corrupt perjury; and that in any suit or prosecution for the recovery of any penalty under this act, the defendant or defendants may, in the discretion of the court, be awarded to give special bail, one half of all which penalties, where the recovery shall be by action of debt or information, *qui tam*, to the use of the informer, or to him, her, or them, that shall sue for and recover the same, and the other half thereof shall be paid to the sheriff of the county where the recovery shall be had, and by him paid into the hands of the treasurer of the shore whereon the same shall be recovered, for the use of the public of this province, to be applied and laid out in the purchase of a place, and building a pest-house for the reception of the infected, as the general assembly for the time being shall direct, or where the recovery shall be had, otherwise than by action of debt or information, *qui tam*, the whole of the said penalties shall be paid and applied to the uses last aforesaid.

An act to define and ascertain the powers of the governor on the subject therein mentioned. Passed November 1793.

Sec. 2. It is enacted, That whensoever, and as often as the governor, for the time being, shall have strong grounds to apprehend, from the information of physicians or otherwise, that there is danger of the plague or other malignant contagious disease being introduced into this state from foreign parts, or from any of the United States, he shall be and is hereby authorized and empowered to compel any vessel coming to any of our ports, shores, or harbours, to ride quarantine, and to forbid, either by land or water, all intercourse or communication between this state and the place affected, or to lay such intercourse under such regulations and restrictions as he may think advisable, and take all measures, and do all things which may appear to him to be necessary for giving effect to the objects of this act.

An act to appoint a health officer for the port of Baltimore town, in Baltimore county. Passed November 1793.

Sec. 2. It is enacted, That the governor, with the advice of the council, shall, and he is hereby authorized to appoint one or more persons, being able and skilful physicians, whose duty it shall be to visit and examine all foreign vessels, and other vessels coming from suspected places, and where it shall appear necessary, to oblige the same to perform quarantine, not less than ten days nor exceeding twenty; and in all such cases the visiting physician shall give a certificate to the captain or master of the vessel, signed with his name, expressing the number of days the said vessel is to ride quarantine; and at or before the end of each quarantine, the physician is hereby enjoined to make a second visit to the said vessel, and should it appear to him that further quarantine is necessary, he is hereby authorized to enjoin the same for any number of days not exceeding ten.

3. If the master or other person having the charge of any vessel bound to the port of Baltimore, having on board altogether, when the said vessel departed from port, above thirty persons on board, disordered with any contagious disease, or coming from any sickly port or place, without a clean bill of health, shall bring his vessel, or suffer or permit the same to be brought, nearer to the port of Baltimore than Hawkins' point, or shall land, or bring on shore, or cause or suffer to be landed or brought on shore, any of such infected persons, or any part or parcel of their goods or effects, or any other goods, until he has obtained a license or permit so to do from the physician, or his assistant aforesaid, such master, or other person, having charge of such vessel, shall forfeit and pay for every such offence, the sum of one thousand dollars.

4. If any master or other person having charge of any vessel, at the time of inquiry by the aforesaid physician or his assistant, shall have on board any person infected as aforesaid, and shall knowingly conceal the same, or shall not make a just and true discovery to the physician or his deputy, of the sickly and disordered state and condition of all and every person on board, from the time the said vessel departed from the port or place from whence she last sailed, to the time of the said inquiry, and of all other particulars necessary for the said physician or his deputy, to know respecting the premises; or, or other person having charge of such vessel, shall forfeit and pay for every
:e, the sum of three hundred dollars.

Extract from an ordinance passed in 1807, by the Mayor and City Council of Baltimore "to preserve the health of the city of Baltimore, and for the due performance of quarantine at the port of Baltimore."

Sec. 4. Each of the commissioners of health shall have full power and authority to give an order for the reception of any person into the public hospital, afflicted with a contagious disease, dangerous to the community, who shall apply for the same.

5. They may employ a physician, provide medicine, and establish rules &c. for the hospital.

6. Whenever the mayor shall receive a report from the board of health, or other well grounded information, that any contagious disease rages in any place on the continent, with which the citizens of Baltimore may have communication, the mayor may and he is hereby authorized to issue a proclamation, forbidding the entrance of all persons or things coming by land or water from such infected place, into the city, or within three miles thereof, and the citizens from having any communication for at least fifteen days from the time of their departure from such infected place. But the mayor may and he is hereby authorized, with the concurrence of any two of the commissioners of health, to make such exceptions to the general prohibition, by permitting the entrance of such persons or things, as may to them appear safe and prudent; and every person willingly and knowingly offending against the direction of the said proclamation, shall forfeit and pay the sum of three hundred dollars.

7. The mayor, the health officer, and each and every commissioner of health, are hereby required, authorized, and empowered to prohibit the landing or bringing into the city or precincts by land or water, any damaged coffee, damaged hides, or other damaged or infected articles, which in his or their judgment may endanger the health of the inhabitants; and every person willingly and knowingly landing or bringing into the city or precincts any of the said articles, whether contrary to or without any prohibition aforesaid, shall forfeit and pay for every such offence, the sum of three hundred dollars; and whenever the said commissioners, or either of them, shall find within the city and precincts, any damaged coffee, or damaged hides, or other damaged or infected articles, which, in their judgment may endanger the health of the inhabitants, they or either of them, shall order the same by their precept in writing, to be removed therefrom to any distance, not exceeding three miles; and if the person or persons owning or having charge of such articles, shall not comply with such order, within six hours thereafter, every person so offending, shall forfeit and pay the sum of one hundred dollars for every such neglect, and the sum of twenty dollars for every hour the same shall thereafter remain.

9. There shall be appointed annually a health officer, who shall have power, with the consent and approbation of the mayor, to employ an assistant, and that it shall be the duty of the said health officer and his assistant to carry into execution the quarantine regulations; and the said health officer during the months of quarantine, shall give his attendance at Fort M'Henry, every day from eight o'clock in the morning until six o'clock in the evening, if not otherwise engaged in the discharge of his duty as health officer, and to enter in a book, to be by him provided and kept for that purpose, all marine intelligence which he may be able to obtain, and of which he is hereby directed to make full inquiry of the masters of all vessels that may arrive at the quarantine ground, and such entry shall be made at or before twelve o'clock at noon, and at or before six o'clock in the evening; and the said book shall be kept at his office at Fort M'Henry, open to the examination of every person during the hours of his attendance; and when any vessel shall arrive and be put under quarantine, the letters on board such vessel shall be transmitted to the postoffice by the health officer, in such manner as the board of health may direct.

10. The health officer is hereby directed to visit all vessels, immediately on their arrival, wind and weather permitting, coming beyond sea, or places where the mayor may suspect a contagious disease to exist, yearly and every year from the first of April to the first of November; and when it shall appear to him necessary, detain the same at the quarantine ground, under the regulations hereinafter mentioned.

11. All vessels coming from either of the Indies, the coasts of Africa or South America, or any port or place in the Mediterranean, or the seas or the waters connected with the same, to the eastward of the Straits of Gibraltar, including all and every port or place on the western side of Spain, as far as Cape St. Vincent, from the first of May to the first of November, shall perform a quarantine of one day, during which time the health officer shall pay them at least two visits, wind and weather permitting, and if in his opinion a further detention be necessary, he shall oblige the same to continue their quarantine not exceeding ten days; and in all such cases the health officer shall give a certificate to the master or captain of the vessel, signed with his name, expressing the number of days the said vessel is to ride quarantine; and the health officer is hereby enjoined to pay another visit to said vessel, before the expiration of her quarantine, and if necessary, continue the same any number of days not exceeding five days for each quarantine; and no such vessel shall leave the quarantine ground until she shall have obtained permission in writing from the health officer so to do under the penalty of five hundred dollars, to be paid by the person having charge of such vessel.

12. If the master or other person having command of any vessel, bound to the port of Baltimore, having on board any person disordered with any contagious disease, or coming from any sickly port or place without a clear bill of health, shall bring his vessel or suffer or permit the same to be brought nearer to the port of Baltimore than the quarantine ground, or shall land or bring on shore, or cause or suffer to be landed or brought on shore, any such infected person, or any part or parcel of his or her goods or effects, or any other goods until he has obtained a license or permit so to do from the health officer or his assistant, such master or other person having charge of such vessel, shall forfeit and pay for every such offence the sum of three hundred dollars.

13. If any master or other person having the command of any vessel, at the time of inquiry by the aforesaid health officer or his assistant, shall have on board any person infected as aforesaid, and shall knowingly conceal the same, or shall not make a true and just discovery to the health officer, or his assistant, of the state of health of all and every person on board, from the time the said vessel departed from the port or place whence she last sailed to the time of said inquiry, and of all other particulars necessary for the health officer, or his assistant, to know respecting the premises, such master or other person, having the command of such vessel, shall forfeit and pay for every such offence the sum of three hundred dollars.

14. From and after the first day of May to the first day of November, yearly and every year, the pilot or other person, having the command of any vessel coming from any foreign port or place, and all other vessels coming from places where the mayor may suspect a contagious disease to exist, shall bring such vessel to at the quarantine ground; and if any pilot or other person having command as aforesaid, shall bring such vessel nearer the city than the above mentioned place (which shall be a mile at least below the fort) or he or any other person on board shall leave such vessel, and come within the city or precincts of Baltimore, before the health officer hath been on board and given him or them permission in writing, he or they shall forfeit and pay, for every such offence, the sum of one hundred dollars; and if any person shall go on board, or have communication in any manner, otherwise than by speaking with any such vessel and the persons on board, before he hath obtained permission from the health officer in writing, he shall forfeit and pay, for every such offence, three hundred dollars, and be compelled to remain on board during the quarantine, under the same restrictions with the crew: And during the time any vessel is ordered to perform quarantine, it shall not be lawful for any person on board to leave such vessel without permission from the health officer in writing; and every person, so offending, shall forfeit and pay three hundred dollars.

15. If any pilot shall have knowledge that there is on board any vessel, that he undertakes to pilot, any person sick with the plague or any other contagious disease, (and it is hereby declared his duty to make due inquiry thereof,) and shall pilot such vessel above the quarantine ground, he shall forfeit and pay five hundred dollars; and no pilot shall leave a vessel which he hath piloted, until the quarantine of such vessel be completed, unless to proceed down the bay in prosecution of his business; and if any pilot, thus leaving his vessel, shall come into the city, without permission in writing of the health officer, in less than fifteen days from the time he hath left such vessel, he shall forfeit three hundred dollars.

16. No vessels arriving from the ports or places enumerated in the eleventh section of this ordinance, in the months of June, July, August, September, and October, loaded with coffee or other articles liable to damage or putrefaction, shall come up into port; but such cargoes shall be landed and aired, or discharged into other vessels while remaining in the river or in the bite, within and as near to Love's Point as may be consistent with safety, except a special permission is granted to such vessel to come into port by any two of the commissioners of health, with the approbation of the mayor, in consequence of no circumstance appearing whereby the health of the city may be thereby endangered. And should any part of said cargo be damaged, or in such a state as the health officer may conceive would endanger the health of the city, if admitted therein, he may cause the same to be landed at the Lazaretto, under such regulations as may be established for the government of the same, and the said cargo shall remain at the Lazaretto (under the inspection of the health officer) until it shall be sufficiently aired, dried, and purified, and it shall not be removed until the health officer shall give a permit, in writing, for the removal. And the health officer may cause all vessels, importing such cargoes, and the bedding and clothing of the crew thereof, to be cleansed, aired, and purified, while lying at the quarantine ground, before he grants them a permit to come up to the city; and the health officer may permit vessels to perform quarantine within Love's Point, when, in his opinion, the health of the city will not be endangered. And any master or owner of any vessel, loaded as aforesaid, offending against any provision of this section, shall forfeit and pay five hundred dollars.

17. It shall be the duty of every master or other person having the charge of a vessel, subjected to quarantine, and especially permitted to come into port, immediately on discovering that any part of the cargo is in a damaged condition, to give information thereof to the health officer, and to cease discharging until the health officer shall have

examined the same, and in default thereof, such master or other person shall forfeit and pay three hundred dollars: And the health officer is required, if it shall appear unto him necessary, either to cause the vessel to remove to the quarantine ground, there to discharge the damaged goods into the Lazaretto, or shall cause the said damaged goods to be sent thither in lighters, to be acted with as is prescribed in the sixteenth section of this ordinance; and if any damaged goods shall be landed from such vessel, contrary to the directions of the health officer, the master or other person having charge of such vessel shall forfeit and pay the sum of one hundred dollars.

18. All such persons as may arrive in a sickly or disordered state, shall be sent to the hospital, or such Lazaretto as may be provided for them, (which shall be as near the quarantine ground as possible,) and the board of health are hereby empowered to furnish such assistance as they may stand in need of, and supply beds, bed-clothes, provisions, and such other articles as may be found necessary for the accommodation of the sick: And if any such disordered person shall leave the hospital or Lazaretto, before having obtained permission from the attending physician in writing, and shall come into the city, he or she shall forfeit and pay fifty dollars.

Extract from an ordinance, passed in February, 1820, by the mayor and city council of Baltimore, supplementary to the ordinance for "Preserving the health of the city, and for the due performance of quarantine at the port of Baltimore."

Sec. 9. No master of a vessel or other person whatever, from any vessel lying in the harbour of Baltimore, shall remove any sick person therefrom, before such person has been visited by the consulting physician [of the city], mayor, or some member of the board of health, and a written permit granted by the said consulting physician, mayor, or member of the board of health, for the purpose of such removal; and any person neglecting or refusing to comply with the provisions of this section shall, on legal conviction thereof, be subject to a fine not exceeding twenty dollars for each and every offence.

The 10th section of an ordinance, passed in March, 1821, provides, that no ballast shall be landed from any sea-vessel or craft, between the months of May and October, without permission therefor from the board of health.

VIRGINIA.

By an act passed December 26th 1792,

The governor, with the advice of his council, is authorized to issue his proclamation whenever he may deem it necessary, ordering vessels arriving from any part of the world where contagious diseases are supposed to exist, to perform quarantine for such time and in such manner as he shall prescribe.

The master of a vessel coming from sea, on board of which there shall be a person infected with the plague, or other pestilential disease, shall immediately make the case known to such person as shall be appointed for the purpose, in the manner as is herein-after directed, who shall give intelligence thereof, with all speed to the governor, that measures may be taken for the support of the crew, and precautions used to prevent the spreading of the infection; and the master shall not enter into any port, but shall remain in some open road, and shall avoid and hinder all intercourse with other vessels or persons, nor shall any of the passengers or crew go on shore, until the order of the governor and council shall be received by the master. Whosoever shall offend against this act, in either or any of the aforementioned instances, shall be amerced the sum of one thousand five hundred dollars.

When a place shall be infected with the plague or other pestilential disease, or when the governor, with the advice of council, shall have notified by proclamation, published in the Virginia gazette, that it is judged probable, the plague, or other pestilential disease, may be brought from any place, if a vessel from such place shall be coming into a port of the commonwealth, the person who shall be authorized to see quarantine performed, shall go off, or cause some other to go off, to the vessel, and at a convenient distance, require the commander to declare what is his name, at what place the cargo was taken on board, at what place the vessel touched in her passage, whether any of those places were infected with the plague, or any other pestilential disease, how long the vessel

had been in her passage, how many persons were on board, when she set sail, whether any on board, during the voyage, had been infected with the plague, or other pestilential disease and who they are, how many died in the voyage, and of what distemper, what vessels be or any of his company, with his privy, went on board of, and whether any of their company had been on board his vessel in their voyage, and to what places those vessels belonged, and what are the contents of his lading.

The master of a vessel coming from a place infected with the plague, or other pestilential disease, or having any person on board so infected, who shall conceal it, or who shall not give true answers to the questions so to be propounded to him, shall be amerced the sum of one thousand five hundred dollars.

The master of a vessel ordered to perform quarantine, when he shall be required, after his arrival at the place appointed, shall deliver to the officer authorized to see it performed there, the bills of health and manifests he shall have received during the voyage, with his log-book and journal; and refusing or neglecting so to do, or to repair in convenient time, after notice, to the place appointed, or escaping from thence before quarantine performed, shall be amerced the sum of one thousand five hundred dollars.

Persons ordered to perform quarantine, if they shall escape, may be compelled to return, or if they shall attempt to escape, may be detained by the persons who shall be authorized to see the quarantine performed, and who may employ force, and call for the assistance of others, if it be necessary for the purpose.

Any person going on board a vessel, or into any place under quarantine, without license from the superintendent thereof, may be compelled to remain there, in the same manner as he might have been, if he had been one of the crew of the vessel. The person thus appointed to execute an order concerning quarantine, guilty of wilful breach, or neglect of duty, shall be amerced the sum of three thousand dollars. Any person embezzling, or wilfully damaging goods performing quarantine under his direction, shall be liable to the party injured, for treble the value of the damages sustained thereby. The vessel, persons, goods, after quarantine performed, certificate thereof, and that they are freed from infection, being given by the superintendent, shall be no further restrained by virtue of this act.

NORTH-CAROLINA.

By an act passed 1794, it is enacted that,

Sec. 1. On the second Monday in April, 1794, or as soon thereafter as may be, the commissioners of navigation in the respective ports and inlets of this state, and where there are no commissioners, any three justices of the peace convenient to said port or inlets, shall meet together and appoint such place or places as they may think proper for vessels to perform quarantine; and when a vessel shall arrive at any of the said ports or inlets having an infectious distemper on board, or which came from any place that was at the time of her sailing, or shortly before, infected with any malignant disorder, the master and pilot of the vessel shall anchor her at the place so appointed, under the penalty of £500, to be paid by the said master or pilot, and give immediate information thereof to the commissioners of navigation, or where there are no commissioners, to the nearest justice of the peace, who with two others to be summoned by him, or any three of the commissioners aforesaid, shall thereupon cause such vessel and her crew to be examined by at least one experienced physician, where to be had, upon whose report in writing, which said physician is required to make, and on other information they may receive, it shall and may be lawful for any three of such commissioners, and where no commissioners, any three neighbouring justices, to order and command the master of the vessel, crew and passengers, to perform quarantine, as by them shall be deemed most proper and requisite to check or prevent any infectious distemper from spreading in state; and every person on board such vessel directed to perform quarantine, shall from time to time during such quarantine, obey all and every or-

der given by the authority of the said commissioners or justices respecting the victualing, purifying, and cleansing of such vessel, and all persons and articles on board, and the intercourse of the said persons with the inhabitants of this state, the receiving any person on board or putting them on shore. And if the said pilot or master shall neglect or refuse to give such information as above required, the pilot for such neglect or refusal, shall forfeit and pay the sum of fifty pounds; and the master, for the like neglect or refusal, shall forfeit and pay the sum of one hundred pounds. And in case the master of any vessel so ordered to perform quarantine, shall refuse to comply with, or fail to fulfil the orders of the commissioners, or justices of the peace, where there are no commissioners, for performing quarantine with his vessel as aforesaid, he shall forfeit and pay the sum of one hundred pounds for each day he shall fail to proceed and perform the quarantine ordered by the commissioners or justices of the peace, as in this act directed; for which forfeiture or forfeitures the property of the said captain, with the vessel and cargo, shall be liable; provided it shall appear that the breach of the orders of the commissioners or justices as aforesaid, was by the consent of the owner or consignee; but if the owner or consignee did not consent, then and in that case the master of such vessel only shall be liable, to be recovered and applied in such manner as hereinafter directed.

2. When any vessel shall be directed to perform quarantine as aforesaid, and any seaman or passenger shall, contrary to the order and direction of the commissioners or justices of the peace as aforesaid, leave the said vessel, and land on any other place than the said commissioners or justices shall allow of, each and every person so offending, shall forfeit and pay the sum of one hundred pounds, for each and every offence; and where the person or persons so offending shall not be able to pay the said forfeiture, and it can be made appear that they left the vessel with the master's consent, either express or implied, the said master shall be liable to pay the said penalty of one hundred pounds, for each and every such offence of any of his passengers or seamen.

3. When any vessel shall be as aforementioned directed to perform quarantine, and any person or persons knowing of such order, either by the information of the master or otherwise, shall go on board of such vessel or vessels, each and every person so going on board shall forfeit and pay the sum of fifty pounds: And if any person or persons shall be permitted by the master of such vessel to come on board without informing him or them of the order and directions of the commissioners or justices of the peace, the said master shall be liable to pay the sum of one hundred pounds for each and every person so offending, and the sum of two hundred pounds for suffering any person so on board to depart his vessel without leave of the commissioners or justices aforesaid. And the said commissioners or justices are hereby empowered to order every person who shall go on board any such vessel to remain there for such length of time as they may think proper, and if they disobey such order, they shall be liable to pay the sum of fifty pounds.

4. The commissioners or justices aforesaid shall, and they or a majority of them respectively, are hereby empowered to issue their warrant to any sheriff or other lawful officer, commanding him to take the body of any person that may have left any vessel ordered as aforesaid to ride quarantine, and carry or cause to be carried him or her on board of said vessel. And the said officer is hereby empowered to summon such persons to assist him in the execution of said warrant as he may think fit.

5. If any master of a vessel ordered to ride quarantine, shall convey, cause or permit to be conveyed any article or articles of goods, wares and merchandise from on board his vessel, on any other land or in any other boat or vessel than the said commissioners or justices shall authorize, he shall be liable to pay the sum of one hundred pounds for each and every offence. And any other person so conveying or causing to be conveyed any article or articles as above mentioned, shall be liable to the like penalty in like manner.

6. The said commissioners or justices may, whenever they think proper, require from any master of a vessel, on his arrival in this state, to declare on oath the state of the health of himself, crew and passengers, and of the place from whence he came. And if any master shall give a false declaration, or any

physician shall wilfully give a false certificate of the health of the persons on board any vessel so entitled, he shall forfeit and pay the sum of one thousand pounds.

7. The commissioners or justices are hereby empowered and directed to furnish any vessel ordered to ride quarantine as aforesaid, with a sufficient quantity of good wholesome provisions, for the expense of which the master, vessel, and cargo shall be liable.

By an act passed 1802.

1. From and after the passing of this act, it shall and may be lawful for any one commissioner of navigation, with two justices of the peace, or any one justice of the peace with two commissioners of navigation, to enforce and cause to be executed the above recited act, so far as regards the issuing of orders to compel vessels to perform quarantine.

2. From and after the passing of this act, the commissioners of navigation in the several ports of this state, shall be and they are hereby authorized and empowered to appoint port physicians, and to regulate and prescribe the fees to which they shall be respectively entitled, according to the different quarantine stations which they shall be bound to attend for the purpose of inspecting vessels, as required by the before-recited act, and giving certificates of their situation and condition in regard to the health of their respective crews and passengers.

By an act passed 1817,

1. If any vessel shall be brought into the state from a place which, at the time of her departure was infected with the yellow fever, small pox, or other infectious disorder, or if any vessel arriving in this state shall have the small pox or yellow fever, or other infectious disorder on board, or which shall have had such disorder on board during her passage to this state, such vessel shall be anchored at the place appointed for quarantine, and there remain until permitted to remove by the commissioners of navigation, or by the commissioners of the town to which said vessel is bound, and if any such vessel shall come to such town or into its harbour without permission obtained as aforesaid, the pilot or master conducting said vessel, or ordering or permitting hereto be so conducted to such town or harbour, shall be subject to indictment in the court of pleas and quarter sessions or superior court of the county in which said offence is committed, and upon conviction, shall be fined not less than five hundred pounds, and be subject to imprisonment until such fine and costs are paid: Provided such imprisonment shall not exceed one year.

2. The commissioners of navigation or the commissioners of the town in the harbour of which any vessel shall have arrived in violation of this act, shall have power and are authorized to use such force as shall be necessary to remove said vessel to the place of quarantine, their reasonable charge for which service shall be paid by the master or owner of said vessel, and may be recovered of either of them before any jurisdiction having cognizance thereof.

SOUTH CAROLINA.

It is ordained by the common council of Charleston,

*Sec. 7. That all vessels, having two decks, lying in the port and harbour of Charleston, at any time between the first day of June and the first day of November, shall be compelled to have, at least, one wind-sail, extending to the lower hold of each and every such vessel; and the owner, consignee, or master of any vessel which shall not be provided with such a sail, agreeably to this ordinance, shall forfeit and pay the sum of ten dollars for every day such vessel shall remain thus unprovided; and each and every vessel having two decks, lying at the wharves in this port, during the above period, shall be compelled, under the eye of the harbour master, or his deputy, to admit a certain quantity of water into her hold, and to have the same pumped out again, at least twice in every week: And if the owner, consignee, or master of any such vessel, shall refuse or neglect so to do, he or they shall be liable to a fine of ten dollars,

* Passed July 24, 1815.

for each and every refusal or neglect. And the harbour master, or his deputy, is hereby instructed and required, in case of any refusal or neglect, to have the same done at the expense of the owner, consignee, or master, and recovered, together with the expenses.

8. That if any vessel, lying at any wharf, shall be reported foul or offensive, and the commissioners of health, or any three of them, shall consider her remaining there to be dangerous to the health of the inhabitants, they shall have power to order her off, and cause her to be removed, if necessary, to a sufficient distance from the city, there to be cleansed, ventilated, and fumigated, under the direction of the harbour master, or his deputy, until they shall deem it safe for her to return. And if the owner or consignee of such vessel, shall fail to have her removed, cleansed, and ventilated, within twenty-four hours after being ordered as aforesaid, he shall forfeit and pay the sum of one hundred dollars for each and every such offence, and the expense of removing and cleansing said vessel, shall be paid by the owner or consignee.

*Sec. 4. That it shall be lawful for, and become a part of the duty of the harbour master, or of his deputy, to enter into any ship or other vessel, lying at any of the wharves, or in the river, within the distance of one mile, from any part of the city, to examine into the condition of her cargo, and the state of her crew: and if any part of such cargo, of what kind or nature soever it might be, should consist of any putrefying or decayed article, or commodity, and there should issue therefrom any noisome effluvia, or that the same is likely to generate a pestilential air, or that such ship or vessel should contain any sick person or persons, infected with any putrid or malignant disease, the said harbour master, or his deputy, shall, in any such case, forbid the landing within the city, of any such commodity or article of such cargo, or sick person or persons, and shall thereupon order the hatches of said vessel to be immediately closed. And if any captain, owner, or consignee, or other person or persons, having the charge or management of such ship or vessel, regardless of the orders received from the harbour master, or his deputy, should proceed to unlade any article, or to land any sick person or persons, from out of such ship or other vessel, as aforesaid, or neglect or refuse to close, or keep closed the hatches of his said ship or vessel, such captain, owner, or consignee, or other person or persons, having charge or management of such vessel, shall forfeit and pay the sum of twenty dollars for every disobedience or opposition to such orders.

†Whereas, in consequence of the removal of the seat of government from Charleston to Columbia, inconveniences have been experienced from the sole power of compelling vessels (suspected of being infected with any contagious distemper) to perform quarantine, being vested in the governor:

1. Be it therefore enacted, that all the powers and authorities, in and by the said above recited act vested in the governor, so far as the same relates to the compelling of vessels to perform quarantine in the harbour of Charleston, shall be, and the same is hereby vested in the intendant and wardens of the city of Charleston, at all times when the governor shall be absent from the city; and in the commissioners of the streets in the town of Beaufort and Georgetown.

§1. Be it enacted, that the officer or officers who may be intrusted with the execution of the quarantine laws, be, and they are hereby authorized and directed, in case of a violation, or an attempt to violate, any of the said laws, to board by force of arms any vessel, used in such violation, or attempt to violate, and to detain her or her crew and passengers; and that the penalty for a breach of any of the quarantine laws shall not be less than one hundred

* Passed July 21st, 1800.

† Passed Dec. 19th, 1795.

‡ See the act of 1784, 2d vol. Brevard, page 162.

§ Passed December, 1809.

York, between the thirty-first day of May and the first day of October, in any year, shall be discharged at the quarantine ground, and if in a sound state, may be taken to any place in said city north of said line, beginning at Spring-street on the North River, and along said street to the Bowery, and from thence down the Bowery to Grand-street, and through Grand-street to Walnut-street, and through Walnut-street to the East River; but it shall be lawful to bring sound hides and sound cotton, the produce of the United States or territories thereof, from the quarantine ground, or other places of deposit, by water only, to be immediately taken on board of vessels while lying on any of the wharves of said city, for exportation or transportation out of the said city: Provided, that they are not re-landed therefrom in said city, contrary to this act; and should either of the above articles be brought into said city contrary to the true intent and meaning of this act, they shall be seized and sold by the health commissioners, for the benefit of the marine hospital.

19. No lighters shall be employed to unload and load vessels at quarantine, but those permitted by the health officer.

20. It shall be the duty of the several branch pilots and their deputies, belonging to the port of New-York, to use their utmost endeavours to hail every vessel coming into the said port, and shall ask and demand of the master or commander of any such vessel, whether any person has died on board, or any person has been sick on the passage, or if any pestilential fever existed amongst the inhabitants of the port whence she sailed, and on being answered in the affirmative to any of the said questions, shall immediately give notice to the master or commander of such vessel, that he and his vessel, crew, passengers, and cargo, are subject to the examination of the health officer, and shall direct him to proceed and anchor his vessel at the quarantine anchorage, there to remain until he shall receive further directions from the health officer; and all such commanders of vessels are forbid to unload or put on shore, or on board of any boat or vessel, any goods, merchandise, or freight, or any clothing or bedding, or any person or persons, from his vessel, until permitted, pursuant to this act: and every master or commander of any vessel who shall give false information, relative to the condition of his vessel, crew, passengers, freight, or cargo, or the health of the place or places whence she came, when hailed by any pilot, or shall, notwithstanding being forbid by such pilot, bring his vessel nearer the city than the ground assigned for quarantine, or land any passenger, or unload any of his cargo, shall be considered guilty of a misdemeanor, and, on conviction thereof, shall be fined by the court having cognizance of the same, in a sum not exceeding two hundred dollars for each offence; and every passenger, or any other person on board such vessel, departing therefrom, or unloading any of the cargo thereof, without leave first obtained from the officer aforesaid, shall be considered guilty of a misdemeanor, and be punished, if convicted, in like manner as the master or commander last mentioned.

21. It shall be the duty of every pilot who conducts a vessel into the port of New-York, to take care that no violations of this act are committed by any person on board, and if any such are committed and not reported by such pilot to the health officer as soon as may be, such pilot shall be considered guilty of a misdemeanor, and shall be fined in a sum not exceeding two hundred dollars: And further, that it shall be the duty of every such pilot to deliver such printed extracts from this act as shall be entrusted to him by the health officer for that purpose, to every master of a vessel piloted by him into the port of New-York; and that every pilot for neglecting or refusing so to do, shall be deemed guilty of a misdemeanor, and punishable as last aforesaid.

22. Upon complaint being made in writing, by one or more of the health commissioners, to the wardens of the port of New-York, charging any pilot with neglect or violation of any of the duties herein prescribed or enjoined upon him, it shall be the duty of the said wardens of the port forthwith to suspend such pilot from piloting any vessel, until he shall have entered into recognizance before one of the justices of the peace for the city and county of New-York, in the sum of two hundred dollars, with sufficient sureties, to answer to the offence wherewith he is charged, at the next general sessions of the peace to be held in the city and county of New-York, which offence the said court is hereby

from the quarantine ground, through the East or North Rivers; but the vessel must not lie at anchor opposite the city, or come within 300 yards of any dock of the city, neither can the cotton be landed in New-York city.

Board of Health, February 25, 1822.—Resolved, that sound cotton, the produce of the United States, brought from the quarantine ground, or other places of deposit, which is now authorized by law to be taken on board of vessels lying at any of the wharves of this city, for exportation out of said city, may be landed on any of the said wharves, for the purpose of re-weighing, repairing, and preparing the bales of said cotton, provided that such cotton shall, in no case, be permitted to remain on said wharf or wharves more than six days before it shall be laden on board of such vessel, always subject to the inspection and controul of the board of health.

authorized to try and determine, and to impose such fine as they may deem proper, not exceeding the sum of two hundred dollars; and it shall be the duty of every pilot who shall conduct any vessel subject to quarantine, into the port of New-York, to bring said vessel to anchor within the buoys marking the quarantine anchorage, and every pilot neglecting or refusing to perform any duties required of him by this act, or permitting any vessel or boat to come alongside of such vessel, which such pilot shall have the direction of, or permitting any thing to be thrown into such vessel or boat, shall, in addition to the above penalties, forfeit for every such offence the sum of twenty-five dollars, to be recovered by the health commissioners, with costs, in an action of debt, in their own names, in any court having cognizance thereof.

23. The hospital erected on the easterly part of Staten Island, shall continue to be denominated the marine hospital, and shall, together with the other buildings and improvements made or to be made thereon by the said commissioners, with the approbation of the person administering the government of this state, or, in his absence, the mayor of the said city, and the land adjoining the same and belonging to the people of this state, be holden by the health commissioners in trust for the use of the people of this state, and the purposes specified in this act, and all vessels subject to quarantine shall come to anchor within the buoys, as near as may be to the said hospital, which is hereby declared to be the anchoring place for vessels at quarantine between the fifteenth day of April and the first day of November, and the remainder of the year off the Battery in the East or North River; that the said health officer shall be physician of the said hospital, and the said commissioners shall, in other respects, have the superintendence thereof, and employ mates, nurses, and attendants therefor, and provide bedding, clothing, fuel, provisions, medicine, and such other matters as shall be requisite therein; and it shall be lawful for them to make reasonable rules and orders for the government and management of the said hospital, and the said commissioners shall also at all times furnish a convenient boat for the use of the health officer, with men sufficient to row the same.

24. Every diseased person duly landed or sent to the marine hospital, shall be there kept and maintained, until the health officer shall grant him or her a discharge in writing; and if any such person shall elope, it shall be lawful for the health officer to direct any constable or other person, whom he shall call to his assistance, and they are hereby enjoined and required, to pursue and apprehend the person so eloped, and there again to deliver him or her to be detained until discharged as aforesaid; and any person, so eloping from the marine hospital, or any diseased person in the marine hospital refusing or neglecting to obey the directions of the health officer, and the orders and regulations of the health commissioners, shall be considered as guilty of a misdemeanor, and as such shall be punishable by any court having cognizance thereof.

25. All persons in the city of New-York, not being residents thereof, sick of a yellow, bilious, malignant, or other infectious or pestilential fever, and all things within the said city which, in the opinion of the health commissioners, shall be infected by or tainted with pestilential matter, and ought to be removed from the said city, shall, by order of any of the said commissioners, or by the board of health, be sent to the marine hospital.

26. All persons removed to the said marine hospital, other than those who have paid hospital money, shall be liable to pay a reasonable sum for their board, medicine, and attendance therein, and if any of them, deemed to have sufficient means, shall refuse or neglect to pay such sum as they may be reasonably charged with, the same shall be sued for and recovered from them by the said commissioners, by an action on the case, in their own names.

27. No person, unless authorized by the health officer or board of health, shall go within the inclosure of the quarantine ground, and that every person so transgressing shall be considered guilty of a misdemeanor, and fined in a sum not exceeding one hundred dollars, or imprisoned for a time not exceeding thirty days, by any court having cognizance thereof.

29. Every person keeping a boarding or lodging-house in the city of New-York, between the thirty-first day of May and the first day of November, in any year, shall, within twelve hours after any seafaring man or sojourner shall be sick in such boarding or lodging-house, report in writing the name of such diseased person to one of the health commissioners, or to the board of health; and that no master of a vessel, or any other person whatever, shall, between the days aforesaid, remove any sick person from any vessel lying at any wharf or in the harbour of the city of New-York, before the name of such sick person has been reported to one of the health commissioners, or to the board of health, and a written permit granted for the purpose of such removal by the said commissioners, or one of them, or by the board of health, and that any person neglecting or refusing to comply with either of these directions, shall be considered guilty of a misdemeanor, and be fined in a sum not exceeding two hundred and fifty dollars, or be imprisoned for a time not exceeding six months, by any court having cognizance thereof.

By sections 31 and 32, each captain and cabin passenger are compelled to pay one dollar and fifty cents, and every other person one dollar, on board of vessels arriving from

passengers or servants imported in such ship or vessel, or the crew thereof, or any of them, are or is infected with, or have the gaol or yellow fever, or any such dangerous infectious distemper, the governor or commander in chief may thereupon order such ship or vessel to perform quarantine in the manner aforesaid, and under the same penalties as herein before mentioned, to all persons concerned.

7. Any person whatsoever falsely and corruptly making the oath aforesaid, shall and may be prosecuted in the same manner, and suffer the like punishment, as for wilful and corrupt perjury; and that in any suit or prosecution for the recovery of any penalty under this act, the defendant or defendants may, in the discretion of the court, be awarded to give special bail, one half of all which penalties, where the recovery shall be by action of debt or information, *qui tam*, to the use of the informer, or to him, her, or them, that shall sue for and recover the same, and the other half thereof shall be paid to the sheriff of the county where the recovery shall be had, and by him paid into the hands of the treasurer of the shore whereon the same shall be recovered, for the use of the public of this province, to be applied and laid out in the purchase of a place, and building a pest-house for the reception of the infected, as the general assembly for the time being shall direct, or where the recovery shall be had, otherwise than by action of debt or information, *qui tam*, the whole of the said penalties shall be paid and applied to the uses last aforesaid.

An act to define and ascertain the powers of the governor on the subject therein mentioned. Passed November 1793.

Sec. 2. It is enacted, That whensoever, and as often as the governor, for the time being, shall have strong grounds to apprehend, from the information of physicians or otherwise, that there is danger of the plague or other malignant contagious disease being introduced into this state from foreign parts, or from any of the United States, he shall be and is hereby authorized and empowered to compel any vessel coming to any of our ports, shores, or harbours, to ride quarantine, and to forbid, either by land or water, all intercourse or communication between this state and the place affected, or to lay such intercourse under such regulations and restrictions as he may think advisable, and take all measures, and do all things which may appear to him to be necessary for giving effect to the objects of this act.

An act to appoint a health officer for the port of Baltimore town, in Baltimore county. Passed November 1793.

Sec. 2. It is enacted, That the governor, with the advice of the council, shall, and he is hereby authorized to appoint one or more persons, being able and skilful physicians, whose duty it shall be to visit and examine all foreign vessels, and other vessels coming from suspected places, and where it shall appear necessary, to oblige the same to perform quarantine, not less than ten days nor exceeding twenty; and in all such cases the visiting physician shall give a certificate to the captain or master of the vessel, signed with his name, expressing the number of days the said vessel is to ride quarantine; and at or before the end of each quarantine, the physician is hereby enjoined to make a second visit to the said vessel, and should it appear to him that further quarantine is necessary, he is hereby authorized to enjoin the same for any number of days not exceeding ten.

3. If the master or other person having the charge of any vessel bound to the port of Baltimore, having on board altogether, when the said vessel departed from port, above thirty persons on board, disordered with any contagious disease, or coming from any sickly port or place, without a clean bill of health, shall bring his vessel, or suffer or permit the same to be brought, nearer to the port of Baltimore than Hawkins' point, or shall land, or bring on shore, or cause or suffer to be landed or brought on shore, any of such infected persons, or any part or parcel of their goods or effects, or any other goods, until he has obtained a license or permit so to do from the physician, or his assistant aforesaid, such master, or other person, having charge of such vessel, shall forfeit and pay for every such offence, the sum of one thousand dollars.

4. If any master or other person having charge of any vessel, at the time of inquiry by the aforesaid physician or his assistant, shall have on board any person infected as aforesaid, and shall knowingly conceal the same, or shall not make a just and true discovery to the physician or his deputy, of the sickly and disordered state and condition of all and every person on board, from the time the said vessel departed from the port or place from whence she last sailed, to the time of the said inquiry, and of all other particulars necessary for the said physician or his deputy, to know respecting the premises; such master, or other person having charge of such vessel, shall forfeit and pay for every such offence, the sum of three hundred dollars.

Extract from an ordinance passed in 1807, by the Mayor and City Council of Baltimore "to preserve the health of the city of Baltimore, and for the due performance of quarantine at the port of Baltimore."

Sec. 4. Each of the commissioners of health shall have full power and authority to give an order for the exception of any person into the public hospital, afflicted with a contagious disease, dangerous to the community, who shall apply for the same.

5. They may employ a physician, provide medicine, and establish rules &c. for the hospital.

6. Whenever the mayor shall receive a report from the board of health, or other well grounded information, that any contagious disease rages in any place on the continent, with which the citizens of Baltimore may have communication, the mayor may and he is hereby authorized to issue a proclamation, forbidding the entrance of all persons or things coming by land or water from such infected place, into the city, or within three miles thereof, and the citizens from having any communication for at least fifteen days from the time of their departure from such infected place. But the mayor may and he is hereby authorized, with the concurrence of any two of the commissioners of health, to make such exceptions to the general prohibition, by permitting the entrance of such persons or things, as may to them appear safe and prudent; and every person willingly and knowingly offending against the direction of the said proclamation, shall forfeit and pay the sum of three hundred dollars.

7. The mayor, the health officer, and each and every commissioner of health, are hereby required, authorized, and empowered to prohibit the landing or bringing into the city or precincts by land or water, any damaged coffee, damaged hides, or other damaged or infected articles, which in his or their judgment may endanger the health of the inhabitants; and every person willingly and knowingly landing or bringing into the city or precincts any of the said articles, whether contrary to or without any prohibition aforesaid, shall forfeit and pay for every such offence, the sum of three hundred dollars; and whenever the said commissioners, or either of them, shall find within the city and precincts, any damaged coffee, or damaged hides, or other damaged or infected articles, which, in their judgment may endanger the health of the inhabitants, they or either of them, shall order the same by their precept in writing, to be removed therefrom to any distance, not exceeding three miles; and if the person or persons owning or having charge of such articles, shall not comply with such order, within six hours thereafter, every person so offending, shall forfeit and pay the sum of one hundred dollars for every such neglect, and the sum of twenty dollars for every hour the same shall thereafter remain.

9. There shall be appointed annually a health officer, who shall have power, with the consent and approbation of the mayor, to employ an assistant, and that it shall be the duty of the said health officer and his assistant to carry into execution the quarantine regulations; and the said health officer during the months of quarantine, shall give his attendance at Fort M'Henry, every day from eight o'clock in the morning until six o'clock in the evening, if not otherwise engaged in the discharge of his duty as health officer, and to enter in a book, to be by him provided and kept for that purpose, all marine intelligence which he may be able to obtain, and of which he is hereby directed to make full inquiry of the masters of all vessels that may arrive at the quarantine ground, and such entry shall be made at or before twelve o'clock at noon, and at or before six o'clock in the evening; and the said book shall be kept at his office at Fort M'Henry, open to the examination of every person during the hours of his attendance; and when any vessel shall arrive and be put under quarantine, the letters on board such vessel shall be transmitted to the postoffice by the health officer, in such manner as the board of health may direct.

10. The health officer is hereby directed to visit all vessels, immediately on their arrival, wind and weather permitting, coming beyond sea, or places where the mayor may suspect a contagious disease to exist, yearly and every year from the first of April to the first of November; and when it shall appear to him necessary, detain the same at the quarantine ground, under the regulations hereinafter mentioned.

11. All vessels coming from either of the Indies, the coasts of Africa or South America, or any port or place in the Mediterranean, or the seas or the waters connected with the same, to the eastward of the Straits of Gibraltar, including all and every port or place on the western side of Spain, as far as Cape St. Vincent, from the first of May to the first of November, shall perform a quarantine of one day, during which time the health officer shall pay them at least two visits, wind and weather permitting, and if in his opinion a further detention be necessary, he shall oblige the same to continue their quarantine not exceeding ten days; and in all such cases the health officer shall give a certificate to the master or captain of the vessel, signed with his name, expressing the number of days the said vessel is to ride quarantine; and the health officer is hereby enjoined to pay another visit to said vessel, before the expiration of her quarantine, and if necessary, continue the same any number of days not exceeding five days for each quarantine; and no such vessel shall leave the quarantine ground until she shall have obtained permission in writing from the health officer so to do under the penalty of five hundred dollars, to be paid by the person having charge of such vessel.

pay the same sum as if they had arrived direct from such port or place. And all American vessels with coasting documents, arriving from any port or place between Sandy Hook and Cape Charles, including the bay and river Delaware, during quarantine months, having on board merchandise of foreign growth or manufacture, or persons, baggage, or clothing, from any foreign port or place, or from any place to the northward or eastward of Sandy Hook, or westward of Cape Charles, shall stop at the Lazaretto for examination, under the rules, regulations, and penalties in this act contained, and shall pay for each arrival during quarantine months two dollars and fifty cents. All American vessels arriving from any port or place in New Brunswick, Nova Scotia, Canada, or the islands or ports adjacent to the river St. Mary's, the coast of Florida, Bay of Mexico, including New Orleans and parts adjacent, and from thence along the Bay of Honduras and coast of Terra Firma, as far as the river Amazon, including all the islands generally denominated West India, Bahamas or Bermudas; shall pay on arrival five dollars. All American vessels arriving from any place in Europe, in the Western Madeira, Canary or Cape Verde islands, the west coast of Africa as far as latitude thirty-four degrees south, and from any place in the Mediterranean or straits thereof, or from any place from the river Amazon inclusive, and round the coast of Brazil as far as latitude thirty-four degrees south, shall pay ten dollars each. And all American vessels arriving from any place beyond latitude thirty-four degrees south, or round Cape Horn, or the Cape of Good Hope, shall pay twenty dollars each. And all foreign vessels arriving as aforesaid, (except prizes to American vessels,) shall pay twenty-five per cent. each, additional, unless otherwise regulated by any treaty. And prize vessels taken by foreign armed vessels, shall pay twenty-five per cent. each, more than is paid by American vessels. And prize vessels taken by American vessels, shall pay on arrival ten dollars each. And public armed vessels and privateers shall pay six dollars each. And any vessel of the burthen of one hundred and fifty tons and upwards, arriving at the Lazaretto, from any foreign port or coastwise, may come to in the outer channel, as near to the west end of the island of Little Tinicum, opposite the Lazaretto, as her draught of water, wind and weather, will permit, for the purpose of receiving the visit from the Lazaretto physician and quarantine master, and if the said vessel does not receive her visit in the inner channel, she shall pay an additional sum of five dollars, of which two dollars shall be paid to the Lazaretto physician, and one dollar to the quarantine master, as a compensation for their extraordinary services, and two dollars shall be paid into the treasury of the Board.

4. Every ship or vessel coming from any foreign port or place bound to the port of Philadelphia, between the first day of June and the first day of October in every year, shall come to anchor in the river Delaware as near the Lazaretto as the draught of water and the weather will allow, before any part of the cargo or baggage be landed, or any person who came in such ship or vessel shall leave her, or any person be permitted to go on board, and shall submit to the examination hereinafter directed; and if any master, commander, or pilot, shall leave his station before the said Lazaretto, or if any master or commander shall permit or suffer any part of the cargo or baggage, or any person or persons arriving in such ship or vessel from any port beyond the limits of the United States, to be landed on either shore of the Delaware bay, or river, or suffer any person, except the pilot, to come on board before such examination be duly had, and a certificate obtained as is hereinafter specified, the person or persons so permitting, and the person or persons so landed or going on board (unless imminent danger of the loss of the vessel or lives of the crew shall render assistance necessary,) shall pay a fine not exceeding five hundred dollars; and it shall be the duty of the Lazaretto physician and quarantine master, so soon as any ship or vessel shall be anchored near the Lazaretto, between sun rise and sun set, immediately, wind and weather permitting, to go on board the same, and there thoroughly examine in such form and manner as shall be prescribed by the Board of Health, the said ship or vessel, the crew, passengers, cargo, and baggage on board the same, and to demand answers under oath or affirmation to be administered by either the said physician or quarantine master, who are hereby severally empowered to administer the same, to all such questions as shall be put to any person on board such ship or vessel touching the health of the crew and passengers during the voyage, and the nature and state of the cargo as the Board of Health by their rules shall from time to time direct to be asked; but it shall be the duty of the person so examining on oath or affirmation, before he shall proceed therein to make known to the person interrogated the penalty imposed by this act upon the person who shall give false answers under oath or affirmation to the questions proposed in such examination, and if upon such examination it shall appear to the said physician and quarantine master, that the said ship or vessel came from a port or place at which no malignant or contagious disease prevailed at the time of her departure, that the persons on board such ship or vessel are free from every pestilential or contagious disease, (the small pox and measles excepted,) and that the said vessel has had no malignant disease on board either during the homeward bound voyage or during her continuance in a foreign port, and they shall see no cause to suspect that the cargo or any part thereof is infected, they shall forthwith deliver to the master or captain of such ship or vessel, a certificate of the facts

in such form as shall be directed by the Board of Health, and the said captain or master may thereupon proceed according to his destination, and shall present such certificate at the Health Office in Philadelphia within twenty-four hours after his arrival and safely mooring there; but if it shall appear upon such examination that the ship or vessel came from a port or place at which a malignant or contagious disease prevailed, such vessel shall be detained at the Lazaretto for such time as the Board of Health shall deem necessary, not exceeding twenty days; and the letter-bag of the vessel when purified, and such letters as the master, commander, or passengers, shall think proper to write to their owners, consignees, or friends, shall be transmitted to the Health Office in Philadelphia, who shall safely deposit the same in the post office. And thereupon the Board of Health shall determine and direct what measures shall be pursued to cleanse the vessel and cargo, purify the clothing and baggage, and restore the health of diseased persons on board, which direction shall be carried into execution under the inspection of the Lazaretto physician and quarantine master, at the expense of the master, owners, or consignees, of the vessel and goods respectively, in such manner as by the said orders shall be directed: *Provided always*, That wine, rum, salt, sugar, spirits, molasses, mahogany, manufactured tobacco, dye woods, preserved fruits, and such other articles as the Board of Health shall by their general regulations specify and permit, may be conveyed immediately to the city in lighters; and at the expiration of the said time, if it shall appear to the said physician and quarantine master, that no person has been sick with a malignant or contagious disease, (the small pox and measles excepted,) on board said ship or vessel, either during the voyage homeward, or during her continuance in a foreign port, nor any of the crew or passengers, or other person from on board such vessel during the performance of quarantine, and the said physician and quarantine master shall certify the said facts to the Board of Health; and that in their opinion the vessel, crew, cargo, and passengers, may be safely suffered to proceed to the city, the said captain or master may proceed with the same according to his destination, unless the Board of Health shall deem it necessary to cause a further detention of the said vessel or cargo, or of the crew or passengers, or of any baggage on board said vessel, in which case the same shall be detained until the Board of Health shall authorize the same to proceed and enter the city; and upon the arrival of the said captain or master at Philadelphia, he shall present the said certificate of the physician and quarantine master at the Health Office within twenty-four hours after his arrival; but if upon examination of any vessel by the said physician and quarantine master as aforesaid, or during the performance of quarantine by any vessel, it shall appear to the said physician and quarantine master that there has been any person sick on board the said vessel with any malignant or contagious disease, either during the voyage homeward, or during the continuance of the vessel in a foreign port, or during the performance of quarantine at the Lazaretto, (or that any person on board such vessel has been affected with such disease,) then in such case the vessel shall be detained such further time as the Board of Health may deem necessary, and the cargo and baggage, except such part thereof as in the opinion of the Board of Health may be supposed incapable of retaining infection, which said part may be transported to the city in lighters, shall, unless otherwise ordered and directed by the Board of Health, be unladen and thoroughly cleansed and purified, and the crew and passengers which were on board the said vessel, and the cargo and baggage on board the same, or any part thereof, except as before excepted, shall not be suffered to enter the city before the first day of October then next ensuing, without the license and permission of the Board of Health to that effect first had and obtained: *Provided nevertheless*, That such ship or vessel, after she shall have been thoroughly cleansed and purified, if no malignant disease appear on board, may be allowed to take in freight at the Lazaretto by means of lighters, and proceed to sea; and if any master or captain, or other person, on board of any vessel which shall be examined agreeably to this law, shall not true answers make to all such questions as the Lazaretto physician and quarantine master, or the said Health Officer or port physician shall ask, agreeably to this act, or the rules heretofore established, or which shall from time to time be established by the Board of Health in conformity with this act, or shall knowingly deceive, or attempt to deceive, the proper officers as aforesaid, in his answers to their official inquiries, he having been duly informed and apprised of the penalties imposed by this act on the person so offending previous to his said examination, by the person making such examination, such person for each and every offence, being thereof legally convicted, shall forfeit and pay a sum not exceeding five hundred dollars, and moreover shall be sentenced to imprisonment at hard labour for any term not less than one year and not exceeding five years. And if any captain or master of any ship or vessel, shall neglect to present his certificate at the Health Office, in any case in which he is herein directed so to do, within the time directed by this act, he shall forfeit and pay the sum of three hundred dollars. And if any captain or master of any ship or vessel, or any other person on board the same, shall refuse or neglect to comply with the directions of the Lazaretto physician or quarantine master, which shall be made agreeably to this act, or the regulations of the Board of Health, with respect to the detention of any ship or vessel, or the lading from on board the

same, of any person or persons, or of any goods, merchandise, bedding, baggage or clothing, or shall refuse to carry the same into effect, such person for each and every such offence shall forfeit and pay a sum not exceeding five hundred dollars, nor less than two hundred dollars.

5. Any ship or vessel coming from any port or place within the United States, at which port or place the said ship or vessel had only called in or touched upon her arrival from a foreign port or place, shall be liable and subject to all the rules, regulations, and restrictions of the preceding sections of this act, and shall be examined and treated as well the vessel itself as the cargo, crew, passengers and baggage, on board, in the same manner as if such ship or vessel had directly arrived at the Lazaretto from a foreign port or place without having first touched at a port or place within the United States; and all ships or vessels, as well vessels of war as merchant vessels, coming from any port or place within the United States, and bound to the port of Philadelphia, between the first day of June and the first day of October in every year, and having on board any goods or merchandise, the growth or produce of any foreign place or country, or any persons or persons' bedding or clothing, from any foreign port or place, shall come to anchor opposite the said Lazaretto, and shall be examined by the said Lazaretto physician and quarantine master, and if the captain or master of any such ship or vessel shall produce such satisfactory proof as the Board of Health shall in that case direct to be required, that the said goods or merchandise shall have been landed in the U. States more than twenty days, and are free from damage, and that the said vessel, bedding, clothing, and persons, are free from the infection of any dangerous contagious disease, (the small pox and measles excepted,) then and in that case the said physician and quarantine master shall give to the captain of such ship or vessel a certificate of the facts, permitting such ship or vessel to proceed to the city, which certificate the said captain or master shall present at the Health Office in Philadelphia, within twenty-four hours after his arrival, and safely mooring there; and if he should neglect so to do, being thereof legally convicted under this act, he shall be sentenced to pay a fine of two hundred dollars; and if the said captain or master shall fail to produce such satisfactory proof as aforesaid, of the wholesome state of the said vessel, goods, merchandise, bedding, clothing, and persons, the said vessel, goods, merchandise, bedding, clothing, and persons, shall be detained at the Lazaretto, and shall be proceeded with in the same manner, and subject to the same orders and regulations as are herein before provided and directed in the case of vessels coming directly from a foreign port or place; and if the captain or master of any such ship or vessel coming from any port or place within the United States, and bound to the port of Philadelphia, having on board any goods or merchandise, bedding, clothing or persons, as aforesaid, shall refuse or neglect to come to anchor opposite the Lazaretto, and shall pass the same with intent to proceed to the city without examination by, and certificate obtained from, the said physician and quarantine master as aforesaid, he shall, on conviction, forfeit and pay the sum of five hundred dollars, and the said vessel, goods, merchandise, bedding, clothing, and persons, shall be sent back to the Lazaretto, there to be proceeded with in such manner as the Board of Health agreeably to this act, shall in that case devise and direct.

6. Every ship or vessel coming from the Mediterranean, shall be subject to a strict examination, under similar regulations and penalties, as are provided in the fourth section of this act, and if it appears that the said ship or vessel came from any place where the plague existed at the time of her departure, or has spoken with any vessel on board of which, any person was affected with the plague, or if any person is affected with the said disease on his arrival at the Lazaretto, or has been affected during the voyage, the said vessel shall not be suffered to proceed to the city, the cargo and baggage shall be unloaded and thoroughly cleansed and purified, and no part shall be suffered to enter the city without the permission of the Board of Health first obtained; and the crew and passengers shall perform a quarantine of not less than twenty days, nor more than forty, at the discretion of the Board of Health: *Provided nevertheless*, That such ship or vessel after she shall have been thoroughly cleansed and purified, may be allowed to take in freight at the Lazaretto by means of lighters, and proceed to sea.

7. Any person or persons, and all goods, merchandise, bedding and clothing, arriving at any port or place, within the United States, from any foreign port or place at which any malignant or contagious disease, (the small pox and measles excepted,) prevailed at the time of their departure, or in any vessel in which any such disease existed while they were on board the same, are hereby prohibited from entering the city or county of Philadelphia, or the county of Delaware, (except the township of Tinicum,) at any time between the first day of June and the first day of October in any year, either by land or water, without permission of the Board of Health first had and obtained, under the penalty of five hundred dollars for each and every offence, and the forfeiture of all such goods, merchandise, bedding or clothing; and that all goods, wares, bedding, clothing, and merchandise, seamen or passengers, landed from on board any ship or vessel belonging to the port of Philadelphia at any other port of the United States, shall be subject to perform twenty days quarantine, previously to entering the city or county of Phi-

Philadelphia, under the same penalty as in the fifth section, without permission first obtained from the Board of Health.

8. No person or persons, goods, wares, merchandise, bedding or clothing, from any port or place at which any malignant or contagious disease (the small pox or measles excepted) prevailed at the time of their departure, or from on board any vessel in which any such disease existed, while they were on board, shall enter or be brought into the city or county of Philadelphia at any time between the first day of June and the first day of October in any year, by land or water, without the permission of the Board of Health first had and obtained, under the penalty of any sum not exceeding five hundred dollars for each and every such offence, and the forfeiture of all such goods, wares, merchandise, bedding, and clothing.

9. Whenever the Board of Health shall receive information that any malignant or contagious disease (the small pox and measles excepted,) prevails in any port or place within the United States, or on the continent of America, they shall make diligent inquiry concerning the same, and if it shall appear that the disease prevails as aforesaid, all communication with such infected port or place, shall be subject to such control and regulations as the Board of Health may from time to time think proper to direct and publish in one or more newspapers published in the city of Philadelphia, and thereupon every person or persons, and all goods, wares, merchandise, bedding and clothing, from such infected port or place, and having entered and brought into the city and county of Philadelphia, contrary to such regulations, shall be subject to the penalties and forfeitures provided by the next preceding section of this act; and all vessels from such port or place, and bound to the port of Philadelphia, shall stop at the Lazaretto, and be proceeded with in the same manner, and under the same penalties and forfeitures, as are provided in cases of vessels coming from foreign ports; and every person or persons having entered or been brought into the city or county of Philadelphia, from such infected port or place aforesaid, shall also be conveyed by any person authorized by the Board, to such place for purification, as the said Board may appoint or direct for that purpose, and be there detained at the pleasure of the Board any time not exceeding twenty days, and at the expense of such person or persons; and if the said Board shall have cause to suspect that any person or persons at the time, within the city and county of Philadelphia, have been at such infected port or place within fifteen days since such disease prevailed at such port or place next preceding, the said board may lawfully require such person or persons to render satisfactory proof of their place or places of abode during the said period; and if such person or persons neglect or refuse to render such proof, or fail in proving their residence other than at such infected port or place, every such person shall be dealt with, by purification and detention, as persons coming from such infected port or place.

11. It shall be the duty of the Lazaretto physician, immediately on the arrival of any ship or vessel liable to be detained at the Lazaretto in order to be cleansed and purified as aforesaid, to cause the sick, if any on board, to be removed to the building which shall be appointed by the Board of Health for their reception, and diligently and impartially with his best skill to attend upon and administer medical assistance to each and every sick person that shall be therein lodged, and generally to superintend and cause to be executed such orders and regulations as the said Board shall from time to time ordain for the government and management of the Lazaretto, and of the vessels, cargoes, and persons, under quarantine.

12. It shall be the duty of the quarantine master, immediately after the arrival and examination as aforesaid of any ship or vessel liable to be detained at the Lazaretto for purification as aforesaid, to direct and cause such ship or vessel to be properly moored near the Lazaretto at such distance from any vessel or vessels, under quarantine, as may prevent the communication of any infectious disease to or from the same. And the cargo, bedding, and clothing, or any part thereof contained in such ship or vessel to be landed, cleansed, and purified, under the direction of the Lazaretto physician; and it shall be the particular duty of the said quarantine master to prevent any personal intercourse between the persons on board different vessels under quarantine, and for that purpose to take possession and secure the boats of such vessels from sunset to sunrise of the succeeding day, until their respective terms of quarantine shall be completed. To preserve and enforce order and obedience to this act, and all such orders and regulations as the board of health shall, from time to time, ordain for the government of the Lazaretto, and the persons, vessels, and cargoes, under quarantine.

13. It shall be the duty of the port physician, upon receiving information from the health officer, or other person whomsoever, that any person or persons on board of any ship or vessel in the port of Philadelphia is or are afflicted, or suspected to be afflicted, with any pestilential or contagious disease, or that there is just cause to suspect that the cargo or any part thereof, contained in any such ship or vessel, is infected with any such disease, the said physician, in either of the foregoing cases, shall visit and carefully examine such ship or vessel, and if he shall discover any sick person or persons on board any such ship or vessel, he shall thereupon have and exercise the authority to direct such sick person or persons to be removed to the said Lazaretto, or to some other safe

place which may be specified by the board of health. And the said physician shall, without delay, report the state of said vessel, cargo, and crew, to the board of health, who shall direct and determine how the crew, passengers, vessel, and cargo, shall be disposed of and managed for the restoration of their health and purification. And on the arrival of any ship or vessel in the port of Philadelphia, from any foreign port or place, from the first day of October, in any year, to the first day of June, in the next succeeding year, it shall be the duty of the said physician, provided such ship or vessel shall not have been previously visited and examined by the physician resident at the Lazaretto, and quarantine master, and before any of the passengers, crew, cargo, or baggage, are landed, to visit and carefully examine such ship or vessel in manner and form as the said Lazaretto physician and quarantine master are bound to do, and to demand answers under oath or affirmation to be administered by the said port physician, who is hereby empowered to administer the same in conformity with this act. And if the crew, passengers, vessel, and cargo, be in a healthy state, and if there shall be no ground to suspect that any of the crew or passengers have died in the voyage of any dangerous contagious disease, (the small pox and measles expected) or that the cargo, bedding, or clothing, is infected, then and in such case the said physician shall give to the master or commander a certificate of the facts, which the said master or commander shall present at the Health Office within twenty-four hours after such examination; and if he shall neglect so to do, being thereof legally convicted under this act, he shall be sentenced to pay a fine of two hundred dollars, to be recovered and appropriated as is herein provided and directed. And if on examination, any suspicion shall arise in the mind of the said physician touching the health of the crew or passengers, or the infectious state of the vessel, cargo, bedding, or clothing, on board, no part thereof shall be landed, but the said physician shall immediately report the same to the Board of Health, who shall direct and determine what measures shall be pursued relative thereto. And the said physician upon request of the Health Officer, or the Board of Health, shall, from time to time, visit and examine such houses and persons as the said Board, or the Health Officer, shall have reason to suspect are infected with any dangerous contagious disease, and make report thereof to the said Health Officer. And every ship or vessel, so as aforesaid, arriving at the port of Philadelphia, shall be visited by the port physician previously to her being hauled to any wharf within the city or district aforesaid, or Wind Mill island; and every captain or other person so hauling such ship or vessel to any wharf as aforesaid, shall for each and every offence forfeit and pay the sum of two hundred dollars, to be sued for and recovered as herein provided, unless it shall be made appear by such captain or other person that there was at the time imminent danger of the loss of such ship or vessel, or of the passengers or crew thereof.

14. It shall be the duty of the Health Officer at seasonable and proper hours on each day (Sundays excepted) to open and keep a public office at such convenient place in the city of Philadelphia as shall be directed by the Board of Health, whereat all masters or captains of ships or vessels shall deliver the certificates of bills of health to them granted by the Lazaretto physician and quarantine master, or port physician as aforesaid. And the said Health Officer shall file and preserve in good order all the certificates or bills of health so delivered, and shall keep a register of the ships or vessels, and the names of the captains or masters, owners or consignees, for which the same were respectively granted, the port or ports from which the ship or vessel respectively sailed, or at which they touched during their respective voyages, and the number of persons on board thereof respectively at the time of their leaving their respective ports of departure, and also at the time of their arrival respectively at the port of Philadelphia. And the said health officer shall attend the health office at the meetings of the board of health, and at such other times as shall be required for discharging the duties of his appointment, and generally enforce and execute the regulations and instructions of the board of health. And it shall be the duty of the said health officer to collect, recover, and receive all forfeitures and penalties imposed, and sums of money directed to be paid by this act.

15. The letter mail shall, during the quarantine season, leave the Lazaretto for the health office, in the city of Philadelphia, and return twice in each juridical day, at such hours as the board of health shall determine, and shall be free for the transmission of letters to and from persons who may be within the bounds of the Lazaretto, or on board of vessels which may be detained there; and it shall be the duty of the health officer immediately after the arrival of the Lazaretto mail, to deposit in the post office the letters received thereby, excepting those which shall be addressed to the board of health and the officers connected therewith.

16. Every diseased person duly landed or sent to the Lazaretto, by either of the aforesaid physicians, quarantine master, or health officer, shall be there kept and maintained until the Lazaretto physician shall grant him or her a discharge in writing, and if before obtaining a discharge as aforesaid, any such person shall elope, or otherwise absent himself or herself from the Lazaretto, it shall be lawful for the health officer, or any constable or other person whom he shall call to his assistance, to pursue and apprehend the person so escaping or absenting himself or herself from the Lazaretto, and there again de-

River him or her to be detained until duly discharged as aforesaid; and moreover the person so eloping and absenting himself or herself shall, for each and every offence, suffer such temporary confinement in the Lazaretto, not exceeding three months, as the board of health shall ordain and award; and if any master or captain shall knowingly receive or employ on board of his ship or vessel, or if any housekeeper or other inhabitant of this commonwealth shall knowingly receive, harbour, or in any way entertain any person so eloping or absenting from the Lazaretto, each and every master and captain, and each and every housekeeper or inhabitant so respectively offending shall, on being thereof legally convicted, forfeit and pay a sum of two hundred dollars; and if any person, arriving in or belonging to any ship or vessel detained at the Lazaretto as aforesaid, shall elope or absent himself or herself, without having first obtained a discharge, signed by the Lazaretto physician and quarantine master, or if any person other than those detained at the Lazaretto as aforesaid, shall go on board or alongside of any ship or vessel whilst under quarantine as aforesaid, or if any person not authorized by the board of health shall go within the limits of the Lazaretto, such person or persons shall perform such quarantine as the board of health may direct, the person so offending, upon legal conviction of such offence, shall forfeit and pay the sum of two hundred dollars, to be recovered and appropriated as hereinafter directed; and if any diseased or other person landed and sent to the Lazaretto by any officer having authority to do the same, or any person arriving in or belonging to any ship or vessel detained at the Lazaretto as aforesaid, shall refuse or neglect to obey the directions of the Lazaretto physician or quarantine master respectively, agreeably to this act, and the order and regulations by the board of health, which shall, from time to time, be ordained and established for the government and management of the Lazaretto, and the persons, vessels, and cargoes under quarantine, the person so refusing or neglecting shall, for each and every offence, on being thereof legally convicted, forfeit and pay the sum of two hundred dollars, to be recovered and appropriated as hereinafter directed; and the expense and charge of boarding, lodging, nursing, medicine, maintenance, and other necessities, which shall have been provided for the diseased persons landed and sent to the Lazaretto as aforesaid, and also of burying them in case of their death, shall be paid and discharged by the importer, master or captain, owner, or consignee, of the ships or vessels respectively in which such diseased persons were respectively imported, agreeably to the rates in that behalf by the board of health to be ordained and established: Provided always, nevertheless, that when the diseased persons are passengers and not servants, the said expense and charges shall be repaid by them, their executors, or administrators, to the captain or master, owner, or consignee, who shall pay and satisfy, or be bound to pay and satisfy the same as aforesaid.

17. When any vessel shall come up to the city of Philadelphia, or the shores of Southwark, or the Northern Liberties, although the said vessel may have obtained a certificate of health from the Lazaretto physician and quarantine master, or the port physician, if the said vessel shall appear to the board of health to be infected with any contagious disorder, dangerous to the community, the said board are hereby authorized to order the said vessel to the Lazaretto, there to undergo the necessary purification before she will be permitted to return to the city or the shores aforesaid. And the said board are hereby authorized and empowered to remove any vessel or vessels from any part of the city or shore aforesaid as shall be infected with such disorders as aforesaid, to such convenient distance as they may deem proper, although such vessel may not be infected.

23. Whenever the said board of health shall receive information that any contagious disease rages in any port or place within the United States, or on the continent of America, they shall make diligent inquiry concerning the same; and it shall and may be lawful for the said board to prohibit and to prevent all communication by land and water with such infected ports or places, by stopping all vessels coming into the port of Philadelphia, and at and before the Lazaretto, in the same manner and under the same penalties and forfeitures as are hereby provided in cases of vessels coming from foreign ports, and by stopping all persons coming from said infected places, in such manner as the circumstances and exigencies of the case shall require.

24. No master of a vessel or other person from any vessel whatsoever, shall remove any sick person lying in the river Delaware; before the city of Philadelphia, the district of Southwark, or the township of the Northern Liberties, before such sick person has been visited by the port physician, and a written permit granted by him for the purpose of such removal. And any person neglecting or refusing to comply with the provisions of this act, shall, on legal conviction thereof, be subject to a fine not exceeding fifty dollars, or to imprisonment for any term not exceeding three months.

28. If any person shall wilfully and knowingly obstruct or resist the board of health, or any of the members thereof, or any persons by them appointed in the execution of the powers to them given, or in performance of duties enjoined on them by this act, and the rules and regulations of the said board, such person shall, on being thereof legally convicted, forfeit and pay a sum not exceeding five hundred dollars, to be recovered and ap-

propriated as is hereinafter directed. And if, after the expiration of the quarantine, any mariner or other person, who shall have complied with the regulations hereby established, shall commit any violence on the person of a member of the board of health, or any of the officers, attached to the same, for any thing done in the execution of his duty, such person shall be subject, on conviction thereof, to a fine of two hundred dollars, and shall also be sentenced to imprisonment at hard labour for any term not exceeding three years.

30. And the quarantine master shall accompany the Lazaretto physician on the arrival of vessels at the Lazaretto, and shall have them moored, and, when necessary, well cleansed and white-washed, for which he shall be paid in addition to his salary, by the master, owner, or consignee, and shall be allowed to charge for lime and brushes the usual prices at which such articles are retailed in the city of Philadelphia, (he shall also be authorized to receive all letters and papers to be forwarded to Philadelphia by the Lazaretto mail, and by any other conveyance he may think proper,) and no person shall be permitted to go on board any vessel under quarantine, except the Lazaretto physician and quarantine master, unless at the request of either of them to perform some necessary service.

31. All actions or prosecutions, to be commenced against any master, captain, owner, or consignee of any ship or vessel, or other person, by virtue of this act, shall be brought within twelve months next after the commission of the offence, wherewith he is charged, at any trial to be had thereupon. And for the payment and satisfaction of all forfeitures and penalties which are imposed, and all sums of money directed by this act to be paid by the masters, captains, owners, or consignees, as well the ships or vessels respectively, as the captains, masters, owners, or consignees thereof, shall be and are hereby declared liable.

A Supplement to the foregoing act, passed April 2d, 1821.

Sec. 1. Vessels from the southward of Cape Fear, are subject to examination from the first of June to the first of October, and their officers subject to the same restrictions and penalties as if from foreign ports. Lazaretto physician and quarantine master are to perform their usual duties; and the penalty extended to all persons giving false answers.

2. Between the first day of June and the first day of October, every ship or vessel coming from a port or place in the United States, bound to the port of Philadelphia, and from which ship or vessel shall have been, within thirty days then next preceding, unladed, the whole or a part of the cargo or baggage, brought in the said ship or vessel from some foreign port or place, every such ship or vessel shall be liable and subject to all the rules, regulations and restrictions of the said fourth section of the said act to which this is a supplement, and shall be examined and treated, as well the vessel itself as the cargo, crew, passengers, and baggage on board, in the same manner as if such ship or vessel had brought the same cargo, crew, passengers, or baggage, directly from such foreign port or place, and had the same then on board at the Lazaretto.

3. Between the first day of June and the first day of October, no ship or vessel which shall be laden with or have on board, any vegetables, fish, or hides, shall be unladed at the port of Philadelphia, until a permit shall be applied for and obtained from the board of health. And if any master, captain, owner or owners, consignee or consignees, or other persons, shall presume to unlade from on board of any such ship or vessel, any vegetables, fish, or hides, without first having applied for and obtained a permit from the board of health, every such master, captain, owner or owners, consignee or consignees, or other person, so offending, shall pay a fine not exceeding five hundred dollars.

4. Between the first day of June and the first day of October, within forty-eight hours after the discharge of the cargo of every ship or vessel at the port of Philadelphia, it shall be the duty of the captain or master, owner or owners, consignee or consignees, and other person, having the direction of the discharge of the same, under the penalty of one hundred dollars, to be recovered and appropriated as by the act to which this is a supplement, is directed to give, or cause to be given, to the board of health, notice that the same cargo is discharged, and to permit and suffer the board of health, by themselves or by their lawful agent by them for that purpose appointed, to examine the condition of the hold, ballast, and limbers of such ship or vessel. And if the board of health shall deem it for the safety and health of the city of Philadelphia, they are hereby authorized and empowered to designate a proper place to which the said ship or vessel shall be taken, and that her hold, ballast, and limbers, shall there be cleansed and purified, or at the expense of such captain or master, owner or owners, consignee or consignees, or other person, having the direction of the discharge of the cargo, to send, or cause to be sent, such ship or vessel to a proper place, and have her hold, ballast, and limbers, cleansed and purified.

MARYLAND.

An act to oblige infected ships and other vessels coming into this province to perform quarantine.

By an act passed November 1766, it is enacted,

That no ship or vessel whatsoever, coming into this province after the first day of May next, and in which ship or vessel there shall be imported more than thirty servants or passengers, shall be admitted to make her entry, or land or put on shore any goods, passenger or servant, before the master, together with two other creditable persons, shall make oath before the collector, or naval officer, with whom such vessel or ship shall first enter, "that neither the small pox, gaol fever, yellow fever, flux, or any such dangerous infectious distemper, is or hath been on board such ship or vessel on her passage, to the knowledge or belief of such captain, or other persons taking such oaths respectively;" which oath the said collector or naval officer is hereby empowered and directed personally, or by their deputies to administer; and certificate thereof give without fee or reward.

Note. By the constitution, sec. 33, the governor may order and compel any vessel to ride quarantine, if such vessel, or the port from which she shall have come, shall, on strong grounds, be suspected to be infected with the plague; and by 1793, ch. 34, sec. 2, when the governor has strong grounds to apprehend that there is danger of the plague, or other malignant contagious disease being introduced from foreign parts, or from any of the United States, he may compel any vessel to ride quarantine, and forbid all intercourse by land or water, and make the necessary regulations, &c.

Sec. 3. In case any such ship or vessel shall be offered to be entered, and such oath shall be refused to be made, or delayed for the space of forty-eight hours thereafter, that then the officer to whom application shall be made for entry as aforesaid, shall, and he is hereby enjoined and strictly required, immediately thereupon to transmit and send a full and distinct account and information thereof to the governor or commander in chief of this province, for the time being; and on such information given as aforesaid, such ship or vessel shall be obliged to make her quarantine in such place or places, for such time, and in such manner, as from time to time shall for that purpose be directed by the governor or commander in chief of this province for the time being, and that during the said time, and until the said ship or vessel shall be discharged of and from such quarantine, no person coming, or goods imported therein, shall come or be put on shore, or go on board any other ship or vessel within this province, nor shall any person go on board such ship or vessel, obliged as aforesaid to make quarantine, without license first had and obtained from the governor or commander in chief for the time being, in such manner, and under such limitations and restrictions, as he shall think fit to grant or allow the same; and that in case there shall be any breach of the said quarantine in any respect, the master, commander, chief officer, or person having the charge of such ship or vessel, without such license as aforesaid, shall, if a free person, forfeit and pay one hundred pounds sterling, to be recovered, with full costs of suit, in any court of record within this province, by action of debt, bill of indictment, plaint or information, wherein no essoin, protection, or wager of law, or more than one imparlance, shall be allowed, and if a servant or slave, suffer such corporal punishment, by whipping, not exceeding thirty-nine stripes, as by two justices of the peace shall be ordered and adjudged, upon complaint and proof of such offence.

4. The master or commander of every ship or vessel importing above the said number of passengers or servants into this province, after the said first day of May next, shall, before the said ship or vessel shall be admitted to make her entry, discover and disclose to the collector, and naval officer aforesaid, the number of passengers and servants imported in such ship, and if the master or commander of any such ship or vessel shall not make such discovery as aforesaid, he shall forfeit and pay one hundred pounds sterling, to be recovered as aforesaid.

5. Any master or commander of a ship or vessel, importing above the said number of passengers or servants as aforesaid, who shall land or put on shore any passenger, servant, or goods, from on board such ship, or shall sell any servant imported in such ship, and also every person who shall buy such servant, or knowingly entertain in his or her house, any passenger or servant, or receive any goods imported in such ship, before certificate obtained of such oath being made as aforesaid, shall respectively forfeit and pay twenty pounds sterling, to be recovered as aforesaid.

6. And, whereas dangerous infectious distempers frequently break out in ships and vessels importing passengers and servants into this province, on the arrival here, after healthy passages, be it therefore enacted, that even after such certificate obtained as aforesaid, if it shall be made appear to the governor or commander in chief of this province for the time being, by proof, on oath of at least two creditable witnesses, that the

passengers or servants imported in such ship or vessel, or the crew thereof, or any of them, are or is infected with, or have the gaol or yellow fever, or any such dangerous infectious distemper, the governor or commander in chief may thereupon order such ship or vessel to perform quarantine in the manner aforesaid, and under the same penalties as herein before mentioned, to all persons concerned.

7. Any person whatsoever falsely and corruptly making the oath aforesaid, shall and may be prosecuted in the same manner, and suffer the like punishment, as for wilful and corrupt perjury; and that in any suit or prosecution for the recovery of any penalty under this act, the defendant or defendants may, in the discretion of the court, be awarded to give special bail, one half of all which penalties, where the recovery shall be by action of debt or information, *qui tam*, to the use of the informer, or to him, her, or them, that shall sue for and recover the same, and the other half thereof shall be paid to the sheriff of the county where the recovery shall be had, and by him paid into the hands of the treasurer of the shore whereon the same shall be recovered, for the use of the public of this province, to be applied and laid out in the purchase of a place, and building a pest-house for the reception of the infected, as the general assembly for the time being shall direct, or where the recovery shall be had, otherwise than by action of debt or information, *qui tam*, the whole of the said penalties shall be paid and applied to the uses last aforesaid.

An act to define and ascertain the powers of the governor on the subject therein mentioned. Passed November 1793.

Sec. 2. It is enacted, That whensoever, and as often as the governor, for the time being, shall have strong grounds to apprehend, from the information of physicians or otherwise, that there is danger of the plague or other malignant contagious disease being introduced into this state from foreign parts, or from any of the United States, he shall be and is hereby authorized and empowered to compel any vessel coming to any of our ports, shores, or harbours, to ride quarantine, and to forbid, either by land or water, all intercourse or communication between this state and the place affected, or to lay such intercourse under such regulations and restrictions as he may think advisable, and take all measures, and do all things which may appear to him to be necessary for giving effect to the objects of this act.

An act to appoint a health officer for the port of Baltimore town, in Baltimore county. Passed November 1793.

Sec. 2. It is enacted, That the governor, with the advice of the council, shall, and he is hereby authorized to appoint one or more persons, being able and skilful physicians, whose duty it shall be to visit and examine all foreign vessels, and other vessels coming from suspected places, and where it shall appear necessary, to oblige the same to perform quarantine, not less than ten days nor exceeding twenty; and in all such cases the visiting physician shall give a certificate to the captain or master of the vessel, signed with his name, expressing the number of days the said vessel is to ride quarantine; and at or before the end of each quarantine, the physician is hereby enjoined to make a second visit to the said vessel, and should it appear to him that further quarantine is necessary, he is hereby authorized to enjoin the same for any number of days not exceeding ten.

3. If the master or other person having the charge of any vessel bound to the port of Baltimore, having on board altogether, when the said vessel departed from port, above thirty persons on board, disordered with any contagious disease, or coming from any sickly port or place, without a clean bill of health, shall bring his vessel, or suffer or permit the same to be brought, nearer to the port of Baltimore than Hawkins' point, or shall land, or bring on shore, or cause or suffer to be landed or brought on shore, any of such infected persons, or any part or parcel of their goods or effects, or any other goods, until he has obtained a license or permit so to do from the physician, or his assistant aforesaid, such master, or other person, having charge of such vessel, shall forfeit and pay for every such offence, the sum of one thousand dollars.

4. If any master or other person having charge of any vessel, at the time of inquiry by the aforesaid physician or his assistant, shall have on board any person infected as aforesaid, and shall knowingly conceal the same, or shall not make a just and true discovery to the physician or his deputy, of the sickly and disordered state and condition of all and every person on board, from the time the said vessel departed from the port or place from whence she last sailed, to the time of the said inquiry, and of all other particulars necessary for the said physician or his deputy, to know respecting the premises; such master, or other person having charge of such vessel, shall forfeit and pay for every such offence, the sum of three hundred dollars.

Extract from an ordinance passed in 1807, by the Mayor and City Council of Baltimore "to preserve the health of the city of Baltimore, and for the due performance of quarantine at the port of Baltimore."

Sec. 4. Each of the commissioners of health shall have full power and authority to give an order for the reception of any person into the public hospital, afflicted with a contagious disease, dangerous to the community, who shall apply for the same.

5. They may employ a physician, provide medicine, and establish rules &c. for the hospital.

6. Whenever the mayor shall receive a report from the board of health, or other well grounded information, that any contagious disease rages in any place on the continent, with which the citizens of Baltimore may have communication, the mayor may and he is hereby authorized to issue a proclamation, forbidding the entrance of all persons or things coming by land or water from such infected place, into the city, or within three miles thereof, and the citizens from having any communication for at least fifteen days from the time of their departure from such infected place. But the mayor may and he is hereby authorized, with the concurrence of any two of the commissioners of health, to make such exceptions to the general prohibition, by permitting the entrance of such persons or things, as may to them appear safe and prudent; and every person willingly and knowingly offending against the direction of the said proclamation, shall forfeit and pay the sum of three hundred dollars.

7. The mayor, the health officer, and each and every commissioner of health, are hereby required, authorized, and empowered to prohibit the landing or bringing into the city or precincts by land or water, any damaged coffee, damaged hides, or other damaged or infected articles, which in his or their judgment may endanger the health of the inhabitants; and every person willingly and knowingly landing or bringing into the city or precincts any of the said articles, whether contrary to or without any prohibition aforesaid, shall forfeit and pay for every such offence, the sum of three hundred dollars; and whenever the said commissioners, or either of them, shall find within the city and precincts, any damaged coffee, or damaged hides, or other damaged or infected articles, which, in their judgment may endanger the health of the inhabitants, they or either of them, shall order the same by their precept in writing, to be removed therefrom to any distance, not exceeding three miles; and if the person or persons owning or having charge of such articles, shall not comply with such order, within six hours thereafter, every person so offending, shall forfeit and pay the sum of one hundred dollars for every such neglect, and the sum of twenty dollars for every hour the same shall thereafter remain.

8. There shall be appointed annually a health officer, who shall have power, with the consent and approbation of the mayor, to employ an assistant, and that it shall be the duty of the said health officer and his assistant to carry into execution the quarantine regulations; and the said health officer during the months of quarantine, shall give his attendance at Fort M'Henry, every day from eight o'clock in the morning until six o'clock in the evening, if not otherwise engaged in the discharge of his duty as health officer, and to enter in a book, to be by him provided and kept for that purpose, all marine intelligence which he may be able to obtain, and of which he is hereby directed to make full inquiry of the masters of all vessels that may arrive at the quarantine ground, and such entry shall be made at or before twelve o'clock at noon, and at or before six o'clock in the evening; and the said book shall be kept at his office at Fort M'Henry, open to the examination of every person during the hours of his attendance; and when any vessel shall arrive and be put under quarantine, the letters on board such vessel shall be transmitted to the postoffice by the health officer, in such manner as the board of health may direct.

10. The health officer is hereby directed to visit all vessels, immediately on their arrival, wind and weather permitting, coming beyond sea, or places where the mayor may suspect a contagious disease to exist, yearly and every year from the first of April to the first of November; and when it shall appear to him necessary, detain the same at the quarantine ground, under the regulations hereinafter mentioned.

11. All vessels coming from either of the Indies, the coasts of Africa or South America, or any port or place in the Mediterranean, or the seas or the waters connected with the same, to the eastward of the Straits of Gibraltar, including all and every port or place on the western side of Spain, as far as Cape St. Vincent, from the first of May to the first of November, shall perform a quarantine of one day, during which time the health officer shall pay them at least two visits, wind and weather permitting, and if in his opinion a further detention be necessary, he shall oblige the same to continue their quarantine not exceeding ten days; and in all such cases the health officer shall give a certificate to the master or captain of the vessel, signed with his name, expressing the number of days the said vessel is to ride quarantine; and the health officer is hereby enjoined to pay another visit to said vessel, before the expiration of her quarantine, and if necessary, continue the same any number of days not exceeding five days for each quarantine; and no such vessel shall leave the quarantine ground until she shall have obtained permission in writing from the health officer so to do under the penalty of five hundred dollars, to be paid by the person having charge of such vessel.

12. If the master or other person having command of any vessel, bound to the port of Baltimore, having on board any person disordered with any contagious disease, or coming from any sickly port or place without a clear bill of health, shall bring his vessel or suffer or permit the same to be brought nearer to the port of Baltimore than the quarantine ground, or shall land or bring on shore, or cause or suffer to be landed or brought on shore, any such infected person, or any part or parcel of his or her goods or effects, or any other goods until he has obtained a license or permit so to do from the health officer or his assistant, such master or other person having charge of such vessel, shall forfeit and pay for every such offence the sum of three hundred dollars.

13. If any master or other person having the command of any vessel, at the time of inquiry by the aforesaid health officer or his assistant, shall have on board any person infected as aforesaid, and shall knowingly conceal the same, or shall not make a true and just discovery to the health officer, or his assistant, of the state of health of all and every person on board, from the time the said vessel departed from the port or place whence she last sailed to the time of said inquiry, and of all other particulars necessary for the health officer, or his assistant, to know respecting the premises, such master or other person, having the command of such vessel, shall forfeit and pay for every such offence the sum of three hundred dollars.

14. From and after the first day of May to the first day of November, yearly and every year, the pilot or other person, having the command of any vessel coming from any foreign port or place, and all other vessels coming from places where the mayor may suspect a contagious disease to exist, shall bring such vessel to at the quarantine ground; and if any pilot or other person having command as aforesaid, shall bring such vessel nearer the city than the above mentioned place (which shall be a mile at least below the fort) or he or any other person on board shall leave such vessel, and come within the city or precincts of Baltimore, before the health officer hath been on board and given him or them permission in writing, he or they shall forfeit and pay, for every such offence, the sum of one hundred dollars; and if any person shall go on board, or have communication in any manner, otherwise than by speaking with any such vessel and the persons on board, before he hath obtained permission from the health officer in writing, he shall forfeit and pay, for every such offence, three hundred dollars, and be compelled to remain on board during the quarantine, under the same restrictions with the crew: And during the time any vessel is ordered to perform quarantine, it shall not be lawful for any person on board to leave such vessel without permission from the health officer in writing; and every person, so offending, shall forfeit and pay three hundred dollars.

15. If any pilot shall have knowledge that there is on board any vessel, that he undertakes to pilot, any person sick with the plague or any other contagious disease, (and it is hereby declared his duty to make due inquiry thereof,) and shall pilot such vessel above the quarantine ground, he shall forfeit and pay five hundred dollars; and no pilot shall leave a vessel which he hath piloted, until the quarantine of such vessel be completed, unless to proceed down the bay in prosecution of his business; and if any pilot, thus leaving his vessel, shall come into the city, without permission in writing of the health officer, in less than fifteen days from the time he hath left such vessel, he shall forfeit three hundred dollars.

16. No vessels arriving from the ports or places enumerated in the eleventh section of this ordinance, in the months of June, July, August, September, and October, loaded with coffee or other articles liable to damage or putrefaction, shall come up into port; but such cargoes shall be landed and aired, or discharged into other vessels while remaining in the river or in the bite, within and as near to Love's Point as may be consistent with safety, except a special permission is granted to such vessel to come into port by any two of the commissioners of health, with the approbation of the mayor, in consequence of no circumstance appearing whereby the health of the city may be thereby endangered. And should any part of said cargo be damaged, or in such a state as the health officer may conceive would endanger the health of the city, if admitted therein, he may cause the same to be landed at the Lazaretto, under such regulations as may be established for the government of the same, and the said cargo shall remain at the Lazaretto (under the inspection of the health officer) until it shall be sufficiently aired, dried, and purified, and it shall not be removed until the health officer shall give a permit, in writing, for the removal. And the health officer may cause all vessels, importing such cargoes, and the bedding and clothing of the crew thereof, to be cleansed, aired, and purified, while lying at the quarantine ground, before he grants them a permit to come up to the city; and the health officer may permit vessels to perform quarantine within Love's Point, when, in his opinion, the health of the city will not be endangered. And any master or owner of any vessel, loaded as aforesaid, offending against any provision of this section, shall forfeit and pay five hundred dollars.

17. It shall be the duty of every master or other person having the charge of a vessel, subjected to quarantine, and especially permitted to come into port, immediately on discovering that any part of the cargo is in a damaged condition, to give information thereof to the health officer, and to cease discharging until the health officer shall have

examined the same, and in default thereof, such master or other person shall forfeit and pay three hundred dollars: And the health officer is required, if it shall appear unto him necessary, either to cause the vessel to remove to the quarantine ground, there to discharge the damaged goods into the Lazaretto, or shall cause the said damaged goods to be sent thither in lighters, to be acted with as is prescribed in the sixteenth section of this ordinance; and if any damaged goods shall be landed from such vessel, contrary to the directions of the health officer, the master or other person having charge of such vessel shall forfeit and pay the sum of one hundred dollars.

18. All such persons as may arrive in a sickly or disordered state, shall be sent to the hospital, or such Lazaretto as may be provided for them, (which shall be as near the quarantine ground as possible,) and the board of health are hereby empowered to furnish such assistance as they may stand in need of, and supply beds, bed-clothes, provisions, and such other articles as may be found necessary for the accommodation of the sick: And if any such disordered person shall leave the hospital or Lazaretto, before having obtained permission from the attending physician in writing, and shall come into the city, he or she shall forfeit and pay fifty dollars.

Extract from an ordinance, passed in February, 1820, by the mayor and city council of Baltimore, supplementary to the ordinance for "Preserving the health of the city, and for the due performance of quarantine at the port of Baltimore."*

Sec. 9. No master of a vessel or other person whatever, from any vessel lying in the harbour of Baltimore, shall remove any sick person therefrom, before such person has been visited by the consulting physician [of the city], mayor, or some member of the board of health, and a written permit granted by the said consulting physician, mayor, or member of the board of health, for the purpose of such removal; and any person neglecting or refusing to comply with the provisions of this section shall, on legal conviction thereof, be subject to a fine not exceeding twenty dollars for each and every offence.

The 10th section of an ordinance, passed in March, 1821, provides, that no ballast shall be landed from any sea-vessel or craft, between the months of May and October, without permission therefor from the board of health.

VIRGINIA.

By an act passed December 26th 1792,

The governor, with the advice of his council, is authorized to issue his proclamation whenever he may deem it necessary, ordering vessels arriving from any part of the world where contagious diseases are supposed to exist, to perform quarantine for such time and in such manner as he shall prescribe.

The master of a vessel coming from sea, on board of which there shall be a person infected with the plague, or other pestilential disease, shall immediately make the case known to such person as shall be appointed for the purpose, in the manner as is herein-after directed, who shall give intelligence thereof, with all speed to the governor, that measures may be taken for the support of the crew, and precautions used to prevent the spreading of the infection; and the master shall not enter into any port, but shall remain in some open road, and shall avoid and hinder all intercourse with other vessels or persons, nor shall any of the passengers or crew go on shore, until the order of the governor and council shall be received by the master. Whosoever shall offend against this act, in either or any of the aforementioned instances, shall be amerced the sum of one thousand five hundred dollars.

When a place shall be infected with the plague or other pestilential disease, or when the governor, with the advice of council, shall have notified by proclamation, published in the Virginia gazette, that it is judged probable, the plague, or other pestilential disease, may be brought from any place, if a vessel from such place shall be coming into a port of the commonwealth, the person who shall be authorized to see quarantine performed, shall go off, or cause some other to go off, to the vessel, and at a convenient distance, require the commander to declare what is his name, at what place the cargo was taken on board, at what place the vessel touched in her passage, whether any of those places were infected with the plague, or any other pestilential disease, how long the vessel

had been in her passage, how many persons were on board, when she set sail, whether any on board, during the voyage, had been infected with the plague, or other pestilential disease and who they are, how many died in the voyage, and of what distemper, what vessels be or any of his company, with his privy, went on board of, and whether any of their company had been on board his vessel in their voyage, and to what places those vessels belonged, and what are the contents of his lading.

The master of a vessel coming from a place infected with the plague, or other pestilential disease, or having any person on board so infected, who shall conceal it, or who shall not give true answers to the questions so to be propounded to him, shall be amerced the sum of one thousand five hundred dollars.

The master of a vessel ordered to perform quarantine, when he shall be required, after his arrival at the place appointed, shall deliver to the officer authorized to see it performed there, the bills of health and manifests he shall have received during the voyage, with his log-book and journal; and refusing or neglecting so to do, or to repair in convenient time, after notice, to the place appointed, or escaping from thence before quarantine performed, shall be amerced the sum of one thousand five hundred dollars.

Persons ordered to perform quarantine, if they shall escape, may be compelled to return, or if they shall attempt to escape, may be detained by the persons who shall be authorized to see the quarantine performed, and who may employ force, and call for the assistance of others, if it be necessary for the purpose.

Any person going on board a vessel, or into any place under quarantine, without license from the superintendent thereof, may be compelled to remain there, in the same manner as he might have been, if he had been one of the crew of the vessel. The person thus appointed to execute an order concerning quarantine, guilty of wilful breach, or neglect of duty, shall be amerced the sum of three thousand dollars. Any person embezzling, or wilfully damaging goods performing quarantine under his direction, shall be liable to the party injured, for treble the value of the damages sustained thereby. The vessel, persons, goods, after quarantine performed, certificate thereof, and that they are freed from infection, being given by the superintendent, shall be no further restrained by virtue of this act.

NORTH-CAROLINA.

By an act passed 1794, it is enacted that,

Sec. 1. On the second Monday in April, 1794, or as soon thereafter as may be, the commissioners of navigation in the respective ports and inlets of this state, and where there are no commissioners, any three justices of the peace convenient to said port or inlets, shall meet together and appoint such place or places as they may think proper for vessels to perform quarantine; and when a vessel shall arrive at any of the said ports or inlets having an infectious distemper on board, or which came from any place that was at the time of her sailing, or shortly before, infected with any malignant disorder, the master and pilot of the vessel shall anchor her at the place so appointed, under the penalty of £500, to be paid by the said master or pilot, and give immediate information thereof to the commissioners of navigation, or where there are no commissioners, to the nearest justice of the peace, who with two others to be summoned by him, or any three of the commissioners aforesaid, shall thereupon cause such vessel and her crew to be examined by at least one experienced physician, where to be had, upon whose report in writing, which said physician is required to make, and on other information they may receive, it shall and may be lawful for any three of such commissioners, and where no commissioners, any three neighbouring justices, to order and command the master of the vessel, crew and passengers, to perform quarantine, as by them shall be deemed most proper and requisite to check or prevent any infectious distemper from spreading in this state; and every person on board such vessel directed to perform quarantine, shall from time to time during such quarantine, obey all and every or-

der given by the authority of the said commissioners or justices respecting the victualing, purifying, and cleansing of such vessel, and all persons and articles on board, and the intercourse of the said persons with the inhabitants of this state, the receiving any person on board or putting them on shore. And if the said pilot or master shall neglect or refuse to give such information as above required, the pilot for such neglect or refusal, shall forfeit and pay the sum of fifty pounds; and the master, for the like neglect or refusal, shall forfeit and pay the sum of one hundred pounds. And in case the master of any vessel so ordered to perform quarantine, shall refuse to comply with, or fail to fulfil the orders of the commissioners, or justices of the peace, where there are no commissioners, for performing quarantine with his vessel as aforesaid, he shall forfeit and pay the sum of one hundred pounds for each day he shall fail to proceed and perform the quarantine ordered by the commissioners or justices of the peace, as in this act directed; for which forfeiture or forfeitures the property of the said captain, with the vessel and cargo, shall be liable; provided it shall appear that the breach of the orders of the commissioners or justices as aforesaid, was by the consent of the owner or consignee; but if the owner or consignee did not consent, then and in that case the master of such vessel only shall be liable, to be recovered and applied in such manner as hereinafter directed.

2. When any vessel shall be directed to perform quarantine as aforesaid, and any seaman or passenger shall, contrary to the order and direction of the commissioners or justices of the peace as aforesaid, leave the said vessel, and land on any other place than the said commissioners or justices shall allow of, each and every person so offending, shall forfeit and pay the sum of one hundred pounds, for each and every offence; and where the person or persons so offending shall not be able to pay the said forfeiture, and it can be made appear that they left the vessel with the master's consent, either express or implied, the said master shall be liable to pay the said penalty of one hundred pounds, for each and every such offence of any of his passengers or seamen.

3. When any vessel shall be as aforementioned directed to perform quarantine, and any person or persons knowing of such order, either by the information of the master or otherwise, shall go on board of such vessel or vessels, each and every person so going on board shall forfeit and pay the sum of fifty pounds: And if any person or persons shall be permitted by the master of such vessel to come on board without informing him or them of the order and directions of the commissioners or justices of the peace, the said master shall be liable to pay the sum of one hundred pounds for each and every person so offending, and the sum of two hundred pounds for suffering any person so on board to depart his vessel without leave of the commissioners or justices aforesaid. And the said commissioners or justices are hereby empowered to order every person who shall go on board any such vessel to remain there for such length of time as they may think proper, and if they disobey such order, they shall be liable to pay the sum of fifty pounds.

4. The commissioners or justices aforesaid shall, and they or a majority of them respectively, are hereby empowered to issue their warrant to any sheriff or other lawful officer, commanding him to take the body of any person that may have left any vessel ordered as aforesaid to ride quarantine, and carry or cause to be carried him or her on board of said vessel. And the said officer is hereby empowered to summon such persons to assist him in the execution of said warrant as he may think fit.

5. If any master of a vessel ordered to ride quarantine, shall convey, cause or permit to be conveyed any article or articles of goods, wares and merchandise from on board his vessel, on any other land or in any other boat or vessel than the said commissioners or justices shall authorize, he shall be liable to pay the sum of one hundred pounds for each and every offence. And any other person so conveying or causing to be conveyed any article or articles as above mentioned, shall be liable to the like penalty in like manner.

6. The said commissioners or justices may, whenever they think proper, require from any master of a vessel, on his arrival in this state, to declare on oath the state of the health of himself, crew and passengers, and of the place from whence he came. And if any master shall give a false declaration, or any

physician shall wilfully give a false certificate of the health of the persons on board any vessel so entitled, he shall forfeit and pay the sum of one thousand pounds.

7. The commissioners or justices are hereby empowered and directed to furnish any vessel ordered to ride quarantine as aforesaid, with a sufficient quantity of good wholesome provisions, for the expense of which the master, vessel, and cargo shall be liable.

By an act passed 1802.

1. From and after the passing of this act, it shall and may be lawful for any one commissioner of navigation, with two justices of the peace, or any one justice of the peace with two commissioners of navigation, to enforce and cause to be executed the above recited act, so far as regards the issuing of orders to compel vessels to perform quarantine.

2. From and after the passing of this act, the commissioners of navigation in the several ports of this state, shall be and they are hereby authorized and empowered to appoint port physicians, and to regulate and prescribe the fees to which they shall be respectively entitled, according to the different quarantine stations which they shall be bound to attend for the purpose of inspecting vessels, as required by the before-recited act, and giving certificates of their situation and condition in regard to the health of their respective crews and passengers.

By an act passed 1817,

1. If any vessel shall be brought into the state from a place which, at the time of her departure was infected with the yellow fever, small pox, or other infectious disorder, or if any vessel arriving in this state shall have the small pox or yellow fever, or other infectious disorder on board, or which shall have had such disorder on board during her passage to this state, such vessel shall be anchored at the place appointed for quarantine, and there remain until permitted to remove by the commissioners of navigation, or by the commissioners of the town to which said vessel is bound, and if any such vessel shall come to such town or into its harbour without permission obtained as aforesaid, the pilot or master conducting said vessel, or ordering or permitting hereto be so conducted to such town or harbour, shall be subject to indictment in the court of pleas and quarter sessions or superior court of the county in which said offence is committed, and upon conviction, shall be fined not less than five hundred pounds, and be subject to imprisonment until such fine and costs are paid: Provided such imprisonment shall not exceed one year.

2. The commissioners of navigation or the commissioners of the town in the harbour of which any vessel shall have arrived in violation of this act, shall have power and are authorized to use such force as shall be necessary to remove said vessel to the place of quarantine, their reasonable charge for which service shall be paid by the master or owner of said vessel, and may be recovered of either of them before any jurisdiction having cognizance thereof.

SOUTH CAROLINA.

It is ordained by the common council of Charleston,

*Sec. 7. That all vessels, having two decks, lying in the port and harbour of Charleston, at any time between the first day of June and the first day of November, shall be compelled to have, at least, one wind-sail, extending to the lower hold of each and every such vessel; and the owner, consignee, or master of any vessel which shall not be provided with such a sail, agreeably to this ordinance, shall forfeit and pay the sum of ten dollars for every day such vessel shall remain thus unprovided; and each and every vessel having two decks, lying at the wharves in this port, during the above period, shall be compelled, under the eye of the harbour master, or his deputy, to admit a certain quantity of water into her hold, and to have the same pumped out again, at least twice in every week: And if the owner, consignee, or master of any such vessel, shall refuse or neglect so to do, he or they shall be liable to a fine of ten dollars,

* Passed July 24, 1815.

for each and every refusal or neglect. And the harbour master, or his deputy, is hereby instructed and required, in case of any refusal or neglect, to have the same done at the expense of the owner, consignee, or master, and recovered, together with the expenses.

8. That if any vessel, lying at any wharf, shall be reported foul or offensive, and the commissioners of health, or any three of them, shall consider her remaining there to be dangerous to the health of the inhabitants, they shall have power to order her off, and cause her to be removed, if necessary, to a sufficient distance from the city, there to be cleansed, ventilated, and fumigated, under the direction of the harbour master, or his deputy, until they shall deem it safe for her to return. And if the owner or consignee of such vessel, shall fail to have her removed, cleansed, and ventilated, within twenty-four hours after being ordered as aforesaid, he shall forfeit and pay the sum of one hundred dollars for each and every such offence, and the expense of removing and cleansing said vessel, shall be paid by the owner or consignee.

*Sec. 4. That it shall be lawful for, and become a part of the duty of the harbour master, or of his deputy, to enter into any ship or other vessel, lying at any of the wharves, or in the river, within the distance of one mile, from any part of the city, to examine into the condition of her cargo, and the state of her crew: and if any part of such cargo, of what kind or nature soever it might be, should consist of any putrefying or decayed article, or commodity, and there should issue therefrom any noisome effluvia, or that the same is likely to generate a pestilential air, or that such ship or vessel should contain any sick person or persons, infected with any putrid or malignant disease, the said harbour master, or his deputy, shall, in any such case, forbid the landing within the city, of any such commodity or article of such cargo, or sick person or persons, and shall thereupon order the hatches of said vessel to be immediately closed. And if any captain, owner, or consignee, or other person or persons, having the charge or management of such ship or vessel, regardless of the orders received from the harbour master, or his deputy, should proceed to unlade any article, or to land any sick person or persons, from out of such ship or other vessel, as aforesaid, or neglect or refuse to close, or keep closed the hatches of his said ship or vessel, such captain, owner, or consignee, or other person or persons, having charge or management of such vessel, shall forfeit and pay the sum of twenty dollars for every disobedience or opposition to such orders.

†Whereas, in consequence of the removal of the seat of government from Charleston to Columbia, inconveniences have been experienced from the sole power of compelling vessels (suspected of being infected with any contagious distemper) to perform quarantine, being vested in the governor:

1. Be it therefore enacted, that all the powers and authorities, in and by the said above recited act† vested in the governor, so far as the same relates to the compelling of vessels to perform quarantine in the harbour of Charleston, shall be, and the same is hereby vested in the intendant and wardens of the city of Charleston, at all times when the governor shall be absent from the city; and in the commissioners of the streets in the town of Beaufort and Georgetown.

§1. Be it enacted, that the officer or officers who may be intrusted with the execution of the quarantine laws, be, and they are hereby authorized and directed, in case of a violation, or an attempt to violate, any of the said laws, to board by force of arms any vessel, used in such violation, or attempt to violate, and to detain her or her crew and passengers; and that the penalty for a breach of any of the quarantine laws shall not be less than one hundred

* Passed July 21st, 1800.

† Passed Dec. 19th, 1795.

‡ See the act of 1784, 2d vol. Brevard, page 162.

§ Passed December, 1809.

dollars, nor more than two thousand dollars, any laws to the contrary notwithstanding.

2. That each and every pilot who shall bring, or attempt to bring into any port in this state, any vessel, or the whole or any part of her crew, beyond the places appointed for her examination, without being examined agreeably to law, shall in addition to the penalty of one hundred pounds sterling, to which he is subjected by an act of assembly, passed the twenty-sixth day of March, in the year one thousand seven hundred and eighty-four,* be deprived of his branch as a pilot.

3. That any vessel which shall be restrained under quarantine law, that shall attempt to violate the same, may be fired upon and detained by force of arms.

By an act of Congress, passed April 29th, 1816, the consent of Congress is given to a law of the Legislature of South Carolina, imposing a duty of ten cents per ton on all American vessels arriving at Charleston, for the purpose of providing a fund for the marine hospital.

GEORGIA.

By a law of this state, it is enacted, that, when any country shall be infected with the plague, or other malignant distemper, all vessels, boats, persons, and goods, shall be subject to, and be liable to perform quarantine, as is in this act directed; and, during such quarantine, no person, or persons coming, or goods imported, in any such ship, vessel, or boat, shall come on shore, or go on board, any other ship or vessel, or boat, or be landed, or put into, any other ship or vessel, or boat, in any place within this state, other than such place as shall be appointed for that purpose; nor shall any person go on board any such ship, vessel, or boat, without license first had obtained in writing, under the hand of such person or persons who shall be appointed to see quarantine performed; and the said ships or vessels, or boats, and the persons and goods, coming and imported in, or going on board the same, during the time of quarantine, and all ships, vessels, boats, and persons, receiving any person or goods under quarantine, shall be subject to such orders, rules, and directions, touching quarantine, as shall be made by the authority directing the same.

If any commander, or master, or other person, taking the charge of any ship, or vessel, or boat, coming from any place infected as aforesaid, shall go himself, or permit or suffer any seaman or passenger, to go on shore, or on board any ship or vessel, or boat whatsoever, during the quarantine, or until such ship, or vessel, or boat, shall be discharged from quarantine, without such license as aforesaid, then, and in all such cases, the person offending shall forfeit and pay for every such offence, the sum of one hundred pounds sterling, to be recovered by action of debt, bill, plaint, or information, in any of the courts of this state, and to be for the purpose of building a pest-house; and the judges of any of the said courts are hereby empowered to allow such reward to the informers (if any there shall be) out of the said fine, as in their judgment they shall see fit, so as the same shall not exceed a moiety of the fine levied. And if any persons whatsoever, who shall arrive in any port or place within this state, in any ship, or vessel, or boat, which shall, by reason of his coming from any country or place infected with any contagious distemper, be obliged to keep quarantine, shall quit such ship or vessel, or boat, by coming on shore, or going on board any other ship, or vessel, or boat, before, or while under, quarantine, it shall and may be lawful for the person or persons appointed to see such quarantine duly performed, and they are hereby required to compel such persons to return on board of such ship, or vessel, or boat, and there to remain during the time of such quarantine; and such person or persons so leaving such ship or

* See the act of 1784, 2d vol. Brevard, page 159.

vessel, or boat, and being thereof, after the expiration of this quarantine, convicted by one or more credible witness or witnesses, before any one justice of the peace, living near the place where the offence shall be committed, and three freeholders sworn to try the truth of the said charge, shall forfeit and pay into the hands of the said justice the sum of fifty pounds sterling, one third thereof shall be for the informer, and the remainder, after the necessary expenses are discharged, shall be applied as herein before provided; and, in default of such payment, it shall be lawful for the said justice to commit such offender to one of the public gaols of this state, for any time not exceeding twelve months, nor less than six months.

If any person or persons whatsoever shall presume to go on board and return from such ship, or vessel, or boat, required to perform quarantine, before or during the time of quarantine, without a license as aforesaid, every such offender shall be compelled, and, in case of resistance, by force and violence be compelled by the person or persons appointed as aforesaid, to return on board such ship or vessel, or boat, and there to remain during the time of her quarantine, and shall afterwards be liable to a fine and imprisonment, as herein-before directed, in case of persons quitting a ship or vessel, or boat, performing quarantine, and to be disposed of, as in that case provided; and the master of such ship or vessel, or boat, is hereby obliged to receive and maintain such person on board accordingly.

It shall and may be lawful for any officer of the customs, or such as shall be appointed to take care that such quarantine be duly performed, to seize any boat or skiff belonging to such ship or vessel, or which shall therewith be found, and to detain the same until the quarantine shall be performed; and in case any officer or other person, instructed as aforesaid, shall voluntarily suffer any seaman belonging to such ship or vessel, or boat, or any passenger therein, to quit such ship or vessel, or boat, while under quarantine, every such offender shall forfeit and pay the sum of one hundred pounds sterling, for every such offence, one third thereof to the informer, and the remaining part thereof to be applied as herein-before directed, to be recovered in any of the courts of this state, with costs of suit.

After the quarantine shall have been duly performed according to directions of this act, and upon proof to be made by oath of the master or other person having charge of the said ship or vessel, or boat, and two of the persons belonging to the said ship or vessel, or boat, before any one of the justices of the state, that such ship or vessel, or boat, and all and every person therein have duly performed the quarantine as aforesaid, and that the ship or vessel, or boat, and all the persons on board are free from an infectious distemper; then, in such case, such justice is hereby required to give a certificate (gratis) thereof, and thereupon such ship or vessel, or boat, and all and every person therein, shall not be liable to any further restraint, by reason of any matter or thing contained in this act.

From and after the passing of this act, the pilot or pilots, belonging to the several ports of this state, do before his or their entering on board any ship or vessel, designed for this state, make strict inquiry of every master or commander of the same, whether the plague, small-pox, malignant fever, or any other contagious distemper, be in such ships, or vessels, and every such master or commander is hereby strictly enjoined, without equivocation or reserve, to give just and true answers to all such inquiries of the said pilot or pilots, under the penalties hereafter mentioned and expressed, and in case the said pilot or pilots shall, upon inquiry as aforesaid, find that the plague, small-pox, malignant fever, or any other contagious distemper, be in such ship or vessel, such pilot or pilots are hereby strictly forbidden and prohibited from entering therein, on any pretence whatever. And if the master or commander of any ship or vessel, or any doctor, officer, or foremastman belonging thereto, shall refuse to answer, or give any untrue answer to any pilot or pilots relating to healthiness of all persons on board the said ship or vessel, or shall refuse to be sworn or affirm to, or answer such questions as may be put to him by the health officer, or other person having authority so to do, such master or commander, or such doctor, officer, or foremastman, shall forfeit and pay the sum of one hundred pounds sterling, to be recovered and applied as herein before mentioned.

From and after the passing of this act, every master or commander of any ship or vessel, who shall arrive in this state with any negroes on board exceeding ten in number, from Africa or elsewhere, shall, before such ship or vessel be permitted upon any pretence whatever to enter, be obliged to land and put on shore all such negroes, there to remain for and during the term of ten days, and shall suffer them to be and remain on shore at least six hours in summer, and five hours in winter, in each of the said ten days, at the parties' own election, for the better purifying and cleansing the said ship or vessel, and slaves, from any malignant or contagious distemper, any law, custom or usage to the contrary notwithstanding.

It having been considered doubtful whether this law could be enforced until after the proclamation of the Governor had been issued, an act was passed December 19th, 1795, authorizing the superintendent of quarantine, upon receiving intelligence of the existence of any contagious disease at any place, to enforce the law until the Executive should signify his pleasure upon the subject.

Vessels from places within the commonwealth, when afflicted with contagious disorders, are subject to the operation of the quarantine laws.

By an act of Congress, passed April 29th, 1816, the consent of Congress is given to a law of the Legislature of Georgia, imposing a duty of two cents per ton upon vessels from foreign ports, arriving and entering at the ports of Savannah and St. Marys, for the purpose of providing a fund for the payment of the fees of the harbour masters and health officers of those ports.

CHAPTER XXII.

PASSENGERS.

By an act of congress passed March 2, 1819, it is enacted, that if the master or other person on board of any vessel, owned by a citizen of the U. States, or by a subject of any foreign country, shall take on board such vessel, at any foreign port, or shall convey into the United States, from any foreign port; or shall transport, from the United States, to any foreign port, a greater number of passengers than two for every five tons of such vessel, every such person so offending, and the owner or owners of such ship or vessel, shall severally pay to the United States, the sum of one hundred and fifty dollars for each and every passenger so taken on board: nothing in this act shall be taken to apply to the complement of men usually employed in navigating such vessel.

Sec. 2. If the number of passengers so taken on board, shall exceed the said proportion, by the number of twenty passengers, in the whole, every such vessel shall be forfeited to the United States.

3. Every vessel bound on a voyage from the United States to any port on the continent of Europe, at the time of leaving the last port whence such vessel shall sail, shall have on board, well secured under deck, at least sixty gallons of water, one hundred pounds of salted provisions, one gallon of vinegar, and one hundred pounds of wholesome ship bread, for each and every passenger on board such vessel, over and above such other provisions, stores, and live stock, as may be put on board by such master or passenger for their use, or that of the crew of such vessel; and in like proportion for a shorter or longer voyage: and if the passengers on board of such vessel, in which the proportion of provisions

herein directed shall not have been provided, shall at any time be put on short allowance, the master and owner of such vessel shall severally pay to each and every passenger who shall have been put on short allowance, the sum of three dollars for each and every day they may have been on such short allowance.

4. The master of any vessel arriving in the United States from any foreign place, at the same time that he delivers a manifest of the cargo, and, if there be no cargo, then at the time of making report of the vessel, shall also deliver to the collector a list of all the passengers on board, in which list it shall be the duty of the said master to designate, particularly, the age, sex, and occupation of the said passengers, the country to which they severally belong, and that of which it is their intention to become inhabitants; and shall further set forth whether any, and what number, have died on the voyage; which report shall be sworn to by the said master; and that the refusal or neglect of the master aforesaid to comply with the provisions of this section, shall incur the same penalties, disabilities, and forfeitures, as are at present provided for a refusal or neglect to report and deliver a manifest of the cargo.

5. And every collector to whom such list of passengers shall be delivered, shall, quarter yearly, return copies thereof to the Secretary of State, by whom statements of the same shall be laid before Congress at each and every session.

NEW-HAMPSHIRE.

By an act passed February 15, 1791, it is enacted,

Sec. 10. That the master of every ship or other vessel, shall within three days, from and after the time of entering his ship or vessel, deliver to the selectmen or town-clerk of the town where any such ship or vessel shall arrive, a true and perfect list, or certificate under his hand, of the christian and surnames of all persons, passengers, or others, brought in such ship or vessel, not belonging thereto, and not heretofore inhabitants of this state, with a particular account of their several circumstances, so far as he shall know them, on penalty of forfeiting to the use of the town, in which such vessel arrives, the sum of two pounds for each person; to be recovered by action by the selectmen, overseers of the poor or town treasurer. And when any person so brought by any such master of vessel, shall be sick or lame, and likely to be chargeable, such master shall carry him or her out of this state again, within two months after request made, or give bond in a reasonable sum with sufficient sureties, that said person shall not become chargeable to said town, and shall be liable to pay all charges of supporting any such person.

An act respecting Paupers, passed June 18, 1807.

Be it enacted by the senate and house of representatives, in general court convened, That from and after the passing of this act, if any person or persons shall bring and leave, or with an intent to leave, any pauper, poor and indigent person or persons, having no visible means of support from any other state, into any town or place in this state, who shall not have any legal settlement within this state, knowing him, her, or them to be such, shall forfeit and pay a sum not exceeding three hundred dollars, nor less than fifty dollars, at the discretion of the court.

MASSACHUSETTS.

By an act passed March 16, 1785, it is enacted,

Sec. 11. That every master or commander of any outward bound ship or vessel, that shall hereafter carry or transport out of this government any person under the age of twenty-one years, or any apprentice, or any indented servant, any parts beyond sea, without the consent of his parents, master, or guar-

dian, shall forfeit and pay the sum of fifty pounds; one moiety to the use of this government, and the other moiety to him or them that shall sue for the same; and be further liable for the damages sustained by the parent, master, or guardian, in a special action of the case.

By an act passed February 26, 1794, it is enacted,

Sec. 19. That the master or any other person, having charge of any vessel arriving at any place within this Commonwealth, with any passengers on board from any foreign dominion or country, without the United States of America, shall within forty-eight hours after such arrival, make a report in writing under his hand, of all such passengers, their names, nation, age, character, and condition, so far as hath come to his knowledge, to the overseers of the poor of the town or district, at, or nearest to which such vessel shall arrive, who shall record the same in a book kept for that purpose in their office. And every such master or other person, that shall neglect to make such report, or that shall wittingly and willingly make a false one, shall, for each of these offences, forfeit the sum of fifty pounds, to be sued for and recovered by action of debt as aforesaid, by, and to the use of such town or district.

*An act to prevent the introduction of paupers from foreign ports or places.
Passed February 25, 1820.*

It is enacted, that when any ship or vessel, having any passengers on board, who have no settlement within this commonwealth, shall arrive at any port or harbour within the commonwealth, the master of such ship or vessel shall, before such passengers come on shore, leave a list of their names and places of residence with the selectmen, or overseers of the poor of the town where such passengers shall be landed; and if, in the opinion of said selectmen or overseers of the poor, any such passengers may be liable to become chargeable for their support to the commonwealth, the master of such ship or vessel shall, within five days after his arrival as aforesaid, and on being notified by the selectmen to that effect, enter into bonds with sufficient sureties, to the satisfaction of said selectmen, in a sum not exceeding five hundred dollars for each passenger, to indemnify and save harmless such town, as well as the commonwealth, from all manner of charge and expense which may arise from such passengers, for and during the term of three years; and if the master of such ship or vessel shall land any such passengers without entering their names and giving bonds as aforesaid, he shall forfeit and pay the sum of two hundred dollars, for each passenger so landed, to be recovered by action of debt, by any person who shall sue for the same, one moiety thereof to the use of the commonwealth, and the other moiety to the prosecutor.

RHODE-ISLAND.

By an act passed 1798, it is enacted,

Sec. 16. That if any person shall bring and leave any poor and indigent person in any town in this state, wherein such pauper is not lawfully settled, unless by an order of removal made by a town-council in this state, knowing him to be poor and indigent, he shall forfeit and pay the sum of one hundred dollars.

17. If any master or other person, having charge of any vessel, shall bring into and land, or suffer to be landed, in any place within this state, any person before that time convicted, in any other state or in any foreign country, of any infamous crime, or of any crime for which he hath been sentenced to transportation, knowing of such conviction, or having reason to suspect it, or any person of a notoriously dissolute, infamous, and abandoned life and character, knowing him or her to be such, shall, for every such offence, forfeit the sum of four hundred dollars.

18. The master or any other person having the charge of any vessel arriving at any place within this state with any passengers on board, from any foreign

dominion or country, without the United States of America, shall, within forty-eight hours after such arrival, or before landing any such passenger, make a report in writing under his hand, of all such passengers, their names, nation, age, character, and condition, so far as shall have come to his knowledge, to the overseers of the poor of the town at which such vessel shall arrive. And every such master or other person, who shall neglect to make such report, or who shall wittingly and willingly make a false one, shall for each of these offences forfeit the sum of two hundred dollars.

CONNECTICUT.

Sec. 10. Any person, who shall bring into this state any poor and indigent person, and leave him or her in any town within the same, of which town he or she is not an inhabitant, such person so bringing in and leaving such poor and indigent person, shall forfeit and pay, for every such person so brought in and left, the sum of sixty-seven dollars, to be recovered in any court proper to try the same, to and for the use of such town.

NEW-YORK.

Every master or commander of any ship or other vessel arriving from a foreign country, or from any other of the United States, who shall enter his vessel at the custom-house in the city of New-York, shall within twenty-four hours after such entry make a report in writing on oath to the mayor, or in case of his sickness or absence, to the recorder of the said city, of the name, age, and occupation of every person who shall have been brought as passenger in such ship or vessel on her last voyage, upon pain of forfeiting for every neglect or omission to make such report, the sum of seventy-five dollars for every alien, and the sum of fifty dollars for every other person neglected to be so reported as aforesaid.

It shall be lawful for the said mayor, or in case of his sickness or absence, for the said recorder to require every such master of such ship or vessel, to be bound with two sufficient sureties to the mayor, aldermen and commonalty of the said city, in such sum as the mayor or recorder may think proper, not exceeding three hundred dollars for each passenger, to indemnify and save harmless the said mayor, aldermen and commonalty, and the overseers of the poor of the said city and their successors from all and every expense and charge which shall or may be incurred for the maintenance and support of any such person so imported, and for the maintenance and support of the child or children of any such person which may be born after such importation, in case such person so imported, or any such child or children shall at any time within two years after the said importation become chargeable to the said city, and if any such person so brought as aforesaid, and not being a citizen of the United States, shall be permitted or suffered to land within the said city, from any such ship or vessel before such bond shall have been given, and without a permission in writing from the said mayor or recorder, the master or commander of such ship or vessel shall be subject to the penalty of five hundred dollars for every person so suffered or permitted to land as aforesaid.

If any person who may have been a passenger in any such ship or vessel, and not being a citizen of the United States, shall be suffered to land from such ship or vessel at any place within the distance of fifty miles from the said city, with intent to proceed to the said city, otherwise than in the said ship or vessel, the master or commander thereof shall be liable to the like penalty of five hundred dollars for every such person so suffered or permitted to land.

If any householder in the said city shall knowingly entertain in his house or family any alien so landed as aforesaid, and shall not report such alien to the said mayor, or in case of his absence or sickness, to the said recorder, within twenty-four hours after such entertainment commenced, he shall forfeit and pay the sum of fifty dollars for every such alien so entertained.

All and singular the said penalties and forfeitures arising in the said city, shall

and may be used for and recovered with full costs of suit by action of debt in the supreme court of this state, in the name of the said mayor, aldermen and commonalty, and when recovered by them shall be applied towards the support of the poor of the said city, and the defendant in every such suit shall be held to special bail, and the said supreme court shall direct the trial thereof by a jury of any county that may be judged proper: and upon every such trial for any penalty or forfeiture supposed to be incurred by the landing of any such person as aforesaid within the said city, the same landing shall be presumed, unless the defendant shall prove that the said person was taken or sent to some foreign country without having been suffered to land as aforesaid.

It shall be lawful for the said mayor, aldermen and commonalty, to compound for the said penalties and forfeitures, or any of them, either before or after suing for the same, upon such terms as the circumstances of the defendant or of the case, may in their judgment require.

Every ship or vessel from which such alien shall have been so landed, without permission from the said mayor or recorder in writing, shall be liable for the said penalties, and may be proceeded against by information in the said supreme court, and by attachment and seizure grounded thereon, unless the owners thereof shall give bond with sufficient sureties to the sheriff serving such attachment for the payment of the said penalties, and every of them, which may have been incurred during or since the last voyage of the said ship or vessel, or for paying the value of such ship or vessel towards the satisfaction of such penalties as may have been so incurred by suffering any alien to land as aforesaid, and such value shall be ascertained by the wardens of the port of New-York, or any two of them, and such bonds shall be assignable as bail bonds are by law, and be subject to such orders respecting the same, as the said supreme court may judge it proper to make.

Whenever any person so brought in any such vessel, and being a citizen of the United States, shall by the said mayor or recorder be deemed likely to become chargeable to the said city, the master of such ship or vessel, shall upon an order for that purpose remove the said person without delay to the place of his last settlement, and in default thereof, shall be bound to pay all such charges and expenses as the said city shall or may sustain, or be put unto in and about the maintenance and removal of such person, to be sued for and recovered in like manner as the several penalties herein before mentioned are directed to be sued for and recovered.

By an act passed April 14, 1799,

Sec. 1. It is enacted by the People of the State of New-York, represented in Senate and Assembly, That every master or commander of any ship or other vessel, arriving at the port of New-York, which by the laws of the United States, as they existed on the 9th April, 1813, were bound to enter at the custom-house in the said port, shall, notwithstanding the repeal, modification, or alteration of the laws of the United States, since the said period, in regard to the entry of vessels at the custom-house, and whether such ships or vessels shall be entered at the custom-house or not, be bound to make report of their passengers, to all intents and purposes according to the provisions of the two hundred and fifty-first section of the act hereby amended, and under the penalties therein contained.

2. The owner or consignee of any such ship or vessel, shall be subject to the like penalties and forfeitures with the master or commander thereof, for any violation of the provisions of said act by the said master or commander.

3. Every alien who shall enter the said city, with the intention of residing therein, shall, within twenty-four hours thereafter, make a report of himself in writing, on oath, to the mayor, or in case of his sickness or absence, to the recorder of the said city, stating his name, age, and occupation, the name of the ship or vessel in which he arrived, the time and place when and where he landed, and the commander of such ship or vessel, under the penalty one hundred dollars.

NEW-JERSEY.

By an act passed, Feb. 10, 1819, it is enacted,

That in all cases wherein any vessel shall arrive within any port or harbour in this state, having on board passengers coming from any foreign place, it shall be lawful for the overseers of the poor of the township at which the said vessel may arrive, or any justice of the peace, to require of the commander of such vessel, a bond, with approved security, to the inhabitants of such township, in a sum not exceeding two hundred dollars, conditioned for the maintenance and support of any passenger on board such vessel, who may be sick, infirm, or otherwise incapable, in the opinion of said overseers, or justice, of providing for his or her own support.

2. That if the commander of any vessel shall land or suffer to be landed from on board his said vessel, any passenger who may be sick, infirm, or otherwise incapable of providing for his or her own support, except by license or permit from the overseers of the poor, without having first entered into bond as aforesaid, such commander shall forfeit and pay for each offence the sum of one hundred dollars.

Landing of Criminals, &c.

In New-Jersey it has been ordained, that, no master of a vessel, or other person, shall knowingly or willingly import, bring, or send, either by himself or others, by land or water, any felon, convict, or person convicted of any infamous crime, or under sentence of death, or other legal disability, incurred by a criminal prosecution, or who shall be delivered or sent to him from any prison or place of confinement, in parts, out of the United States; all persons offending against the above provision, and all who may aid or assist therein, to forfeit two hundred dollars for every offence, to be recovered with costs by any person suing for the same, in an action of debt; one moiety of such forfeiture to the state, the other to the person suing for the same.

All persons convicted of an offence under this act, to enter into a recognizance with sufficient sureties, to convey and transport, within such time as the court may direct, such felon, convict, or other person of the description aforesaid, imported, brought, or sent in as aforesaid by him, or with his aid and assistance, and in default, to be imprisoned.

PENNSYLVANIA.

By an Act passed January 29, 1818, it is enacted,

Sec. 21. That no master or captain of any ship or vessel, bound to any port or place within this commonwealth, shall bring within the Capes of the bay and river Delaware, or in any port or place within this commonwealth, any greater number of passengers, servants, or other persons whatsoever, than can and shall be well supplied with sufficient good and wholesome drink and meat and other necessities, particularly vinegar, as well to wash and cleanse the vessel as for the use of the persons on board during the voyage. And every ship or vessel so arriving at any port or place within this commonwealth, shall be allowed to bring one passenger and no more for every two tons custom house measurement, and in such estimate two children between the ages of five and twelve years shall be taken and considered as equal to one full passenger. And before any such ship or vessel shall obtain a certificate from the Health Office, the master, owner, or consignee, of such ship or vessel, shall pay to the Health Officer, for the use of the Board of Health, the sum of one dollar for each and every passenger not citizens of the United States, reckoning two children between the ages aforesaid as one passenger. And in case it should be made to appear satisfactorily to the Board of Health, that such passengers are unable to pay the said sum of one dollar, then and in such case the Board of Health shall make out a list of such passengers, together with the names of the captain and vessel in which they were imported, and forward the same,

under their official seal, to the governor, who shall draw his warrant on the state treasurer, in the usual manner, for the amount so specified. And every master or captain of any ship or vessel, importing passengers, servants, or other persons whatsoever, shall whenever the said passengers, servants, or other persons, amount to the number of one hundred, at the charge of the owner or owners of his ship or vessel, provide and employ a skillful physician of good character, and a chest with a competent assortment of medicines for the use and accommodation of all persons whatsoever on board his ship or vessel, and the physician so provided shall administer medicine and medicines to all sick persons on board the ship or vessel according to his best skill and judgment as often as occasion shall require, without asking, demanding, or receiving any pay or satisfaction therefor from such sick persons respectively. And the master or captain of any ship or vessel containing the number of passengers aforesaid, shall twice in every week, if the weather will permit, during the voyage cause the ship or vessel to be well washed with vinegar, and while the means aforesaid shall be using to cleanse the ship or vessel, the master or captain thereof may require and compel all persons not incapacitated by sickness or other reasonable cause to come and remain on deck until such cleaning shall be performed and completed. And if any master, captain, or other person, whether severally or altogether shall, during the voyage, trust or credit any one passenger with more liquor or other articles whatsoever, than shall amount in the whole to the value of four dollars, or if more than one-third part of that sum shall be for spiritous liquors, the master, captain, or other person so trusting or crediting, shall be disabled from recovering any debts for all and any such articles from any passenger so trusted or credited. And the Lazaretto physician, port physician, and Health Officer respectively, on visiting any ship or vessel bound to any port or place within this commonwealth as aforesaid, shall diligently inquire whether the directions herein given have been fully complied with. And on the arrival of any vessel importing German passengers opposite to the city of Philadelphia, the Health Officer shall moreover visit the same and take with him a respectable German of the city of Philadelphia well versed in the English and German languages to be his interpreter, and the said interpreter shall be appointed and commissioned by the governor, and shall take an oath or affirmation before the mayor or any alderman of the city of Philadelphia for the time being, that he will well and faithfully interpret between the Health Officer and such German passengers, and in all other respects diligently and uprightly execute the duties of his appointment. And the Health Officer shall at least once in every week, taking with him the said interpreter, in case of a ship or vessel importing German passengers, go on board every ship or vessel having passengers, to examine whether they are and have been accommodated agreeably to the directions of this act. And the said interpreter for the first visit shall have and receive the sum of two dollars, and for every subsequent visit the sum of one dollar, to be paid by the master, captain, owner, or consignee of the ship or vessel so visited. And if any master or captain of any ship or vessel shall not have provided a sufficient quantity of good and wholesome provisions, vinegar, and other necessities as aforesaid, or if he shall not have provided a room or birth to the persons on board his ship or vessel, or if having the number of one hundred passengers as aforesaid, he shall not have provided a physician and chest of medicines for the use and accommodation of all persons on board his ship or vessel, or shall bring more than one passenger for every two tons, custom house measurement, or shall have neglected during the voyage to cleanse the ship or vessel in the manner herein before in such case directed, such master or captain shall for each and every of the foregoing offences forfeit and pay not less than two hundred dollars, nor more than fifteen hundred dollars.

By an act of 7th of Feb. 1818, for regulating the importation of German and other passengers, it is enacted, that

Sec. 1. Every master or captain of any ship or vessel importing passengers into this commonwealth, shall give unto each passenger a bill of lading in the common form for all goods belonging to them, as they require no access to during the voyage; but for all such goods, wares, and merchandise, as the passengers respectively shall have between decks in their own charge, the master or captain shall not be obliged to give bills of lading, or be answerable for any loss,

damage, or embezzlement thereof. And if any master or captain shall refuse or neglect so to give a bill of lading, he shall, for each and every offence, forfeit one hundred dollars.

2. Every passenger, brought in any ship or vessel into this commonwealth on paying or tendering to the master, captain, owner, or consignee of such ship or vessel his or her freight, if a single person, and also if married or having children, the freight of his or her family, the full sum for which he or she agreed in Europe, and the fee of one dollar as is provided in the twenty-first section of the health law of the port of Philadelphia, shall be immediately discharged from such ship or vessel, and all his or her goods, wares, and merchandise on board thereof, to him or her in good order delivered on shore without any further cost or charge of landing them; and any master, captain, owner, or consignee refusing to accept such tender, and to put on shore the person on whose behalf the tender was made, with all his or her goods, shall for each and every offence, forfeit fifty dollars, and moreover, shall be liable to be sued by the injured party in action of trover and conversion, or of false imprisonment as the case may require; but it shall and may be lawful for the master, captain, owner, or consignee of any ship or vessel, importing passengers into this commonwealth as aforesaid, to keep and detain any such passengers, who are unable to pay their freight, on board the same ship or vessel wherein they were respectively imported, for the space of thirty days next after their arrival opposite to the city of Philadelphia, in order that they may have time to find out relations or friends who may discharge their freight, or to agree with some person or persons who shall be willing to pay the same in consideration of their servitude, for a term of years agreeably to custom; and every indenture, whereby any such passenger shall be bound to serve his or her master or mistress, shall be acknowledged before the mayor of the city of Philadelphia, or, in case of German passengers, before the register of German passengers, according to law: but no master, captain, owner, or consignee of any ship or vessel shall separate any husband and wife, who came passengers in any such ship or vessel, by disposing of them to different masters or mistresses, unless by mutual consent of such husband and wife; nor shall any passenger, without his or her consent, be disposed of to any person residing out of this commonwealth, under the penalty of one hundred dollars for each and every offence; and moreover, every indenture in such case made, without the mutual consent of the husband and wife as aforesaid, shall be void, and the master or captain of such ship or vessel shall, during the said term of thirty days, well and sufficiently provide for each and every passenger so retained and kept on board, good and wholesome meat and drink, and other necessities and accommodations, at the proper cost and charge of the owner of such ship or vessel; but if any passenger shall continue on board any such ship or vessel after the expiration of the aforesaid term, the master or captain thereof shall provide for such passengers, at their cost and charge respectively, all necessities and accommodations as aforesaid, to be added to the accounts of such passengers respectively, and recovered with their freights, and shall remove on shore all sick persons whose diseases are not pestilential or contagious, and women near the time of labour to some convenient house without delay, and there provide them with necessary accommodations and nursing, the expense whereof shall be charged to such passengers respectively, to be added to and recovered with their freights. If, however, there shall be any sick persons on board of any such ship or vessel who cannot be removed without danger, the master or captain may and shall make as convenient accommodation on board the ship or vessel for such sick persons as circumstances will admit of, or as the health officer and port physician, upon application or complaint to them made, shall order and direct.

3. If any ship or vessel with passengers as aforesaid, shall arrive or continue at the port of Philadelphia after the first day of December in any year, the captain, master, owner, or consignee of such ship or vessel shall, at his or their own proper cost and charge, under the penalty of five hundred dollars, to be recovered and appropriated as hereinafter provided, remove on shore the said passengers to some convenient house, and there provide them with fuel and good and wholesome meat, drink, and other necessities and accommodations; the expense of the meat and drink, after the expiration of thirty days, to be charged to such passengers respectively, to be added to and recovered with their freights.

4. It shall be the duty of the captain or master of any ship or vessel importing German passengers, within fifteen days after his arrival at the port of Philadelphia, to report to the register of German passengers, the names and ages of all passengers who may have died during the voyage, and also those who may have died after their arrival and before their discharge from such ship or vessel; and every captain or master, failing to comply with the provisions of this section, shall forfeit and pay the sum of three hundred dollars.

5. From the time any ship or vessel shall have put to sea, all the goods, wares, and merchandise of the passengers aforesaid on board thereof, who have not paid for their passages at the place from whence they sailed, shall stand a lawful pledge for the freight money of such passengers, until the same shall be fully paid and satisfied. And it shall be lawful for the master, captain, owner, or consignee of any such ship or vessel, at any time after thirty days from the arrival of such passengers within this commonwealth, to apply to any two aldermen or justices of the peace for the city or county where such passengers shall be landed, for an execution against the goods, wares, and merchandise of such passengers; and the said aldermen or justices are hereby empowered and required to issue a summons, directed to a constable of the place where the defendant liveth, to summon such defendant to appear before them on some certain day therein to be expressed, not less than five nor exceeding eight days from the date of such process, to show cause why such execution should not be granted; and at the time appointed the said aldermen or justices, having heard the allegations and proofs of the parties, shall give judgment thereon, or at the request of either of the parties, shall appoint auditors, or if the defendant cannot be found or doth not appear, give judgment for the freight money that shall appear to be due, and award execution against the goods, wares, and merchandise of such defendant, with such costs of suit as are by law allowed on the recovery of debts of equal amount. And the master, captain, owner, or consignee of any ship or vessel importing passengers as aforesaid, permitting any such passengers to go on shore from such ship or vessel, and retaining either on board, or in some store or other place on shore, all, or any of the goods, wares, and merchandise belonging to such passengers, for security of the payment of their freights respectively as aforesaid, shall be obliged, under the penalty of fifteen dollars, to be recovered and appropriated as is hereinafter provided and directed, to give to such passengers respectively a certificate, specifying the goods, wares, and merchandise, and the sum for which they are retained, with the time and terms on which they may be redeemed by the payment of freight, money, and interest; but no passenger shall be obliged to pay any storage for goods, wares and merchandise so retained as aforesaid. And no master, captain, owner, or consignee of any such ship or vessel, or any other person for them or any of them, under any pretence whatever, shall take any bill, bond, note, or other specialty or instrument in writing whatsoever, from any such passenger, nor make any contract with any such passenger, before or while on ship board, or after his arrival within this commonwealth, to compel him or her to pay for the freight of another passenger, except in the cases herein before mentioned, and all bills, bonds, notes, specialties, instruments and contracts so made and taken, shall be utterly null and void: *Provided always*, That if any such passenger, after having discharged his or her freight, shall be willing to enter into a joint obligation with any other passenger or passengers who shall remain in debt for his, her or their freight, to secure the payment thereof, such obligation shall be good and valid in law.

6. That if any passenger or passengers, redemptioner or redemptioners, who shall be plaintiff or plaintiffs in any suit or action arising out of his, her, or their freight or passage, either by a breach or breaches of the contract entered into with him, her or them, or by reason of any other wrong or injury done to him, her, or them, shall require a more speedy determination, in such suit or action, than can be obtained by the common or ordinary rules of proceeding in any of the civil courts of this commonwealth, the judges of the said courts, upon application to them made, shall grant to such plaintiff or plaintiffs special courts, and shall proceed to hear and determine the premises according to the course and practice of the said courts, and for the usual fees therein taken; and that in all such suits or actions, it shall be optional with the plaintiffs to sue in their own names separately or jointly, in the names of two or more as passengers of the

ship or vessel in which they arrived within this commonwealth, any agreement to the contrary notwithstanding.

7. That the master or captain of any ship or vessel taking on board any passenger as aforesaid, to be landed within this commonwealth, who, in the passage hither or soon after, shall die, leaving goods, wares, and merchandise, money, or other effects whatsoever on board, or in the hands and custody of any such master or captain, shall, within the term of ten days next after his arrival opposite to the city of Philadelphia, or after the decease of every such passenger, exhibit to the register of wills of the county in which the property is, a true and perfect inventory thereof to the end, that after payment of all just demands which shall be due to the master, captain, owner, or consignee, of such ship or vessel, the remainder may be committed to the custody of some proper person or persons for the benefit of the wife and children next of kin, or creditors of the deceased as the case may require, and the law in such case shall direct. And if any master or captain shall refuse or neglect to exhibit such inventory as aforesaid, he shall, for every such offence, forfeit and pay the sum of five hundred dollars, to be recovered and appropriated as is hereinafter provided and directed. And no master, captain, owner, or consignee of any ship or vessel, shall charge the freight of any passenger so dying as aforesaid, to his or her surviving relations, nor shall any passenger be compelled against his or her will, to pay or make good by service, all or any part of the freight of his or her relations dying as aforesaid: *Provided always*, That if any minor child, at the time of his or her importation, be of such an advanced age, that his or her service, until he or she arrives at the age of twenty-one years, shall not be equal and sufficient to pay and discharge the money due for his or her own freight or passage, then and in such case he or she may be bound to serve for such number of years, not exceeding his or her age of twenty-four years, as the parties may agree, any law, custom, or usage to the contrary notwithstanding.

8. For payment and satisfaction of all forfeitures and penalties which are imposed, and all sums of money directed by this act to be paid by the masters, captains, owners, or consignees, as well the ships or vessels respectively, as the masters, captains, owners, or consignees thereof, shall be and are hereby declared liable; and it shall be the duty of the register of German passengers, to collect, recover, and receive the same, and all other forfeitures and penalties imposed, and sums of money directed to be paid by this act; and the same shall be recoverable by indictment or action, before any alderman, justice of the peace, or court of justice having lawful jurisdiction, to the amount of such forfeitures, penalties and sums of money respectively; and when recovered and received, the same shall be appropriated by the guardians of the poor of the city of Philadelphia, the district of Southwark and the township of the Northern Liberties, for the use of the poor of said city and districts; and the register of German passengers, for his trouble in collecting and receiving such forfeitures, penalties and sums of money, shall have, receive, and retain a compensation at and after the rate of two and a half per centum on the amount so recovered and received.

9. All actions or prosecutions to be commenced against any master, captain, owner, or consignee of any ship or vessel, or other person, by virtue of this act, shall be brought within two months next after the arrival of the ship or vessel opposite to the city of Philadelphia, or within two months after the offence shall have been committed, if committed after the arrival of the ship or vessel.

Sec. 1. An office for registering all German passengers, arriving at the port of Philadelphia, and the execution of all such indentures, by which any such passengers shall bind him of herself servants for their freight, shall be established; and a person understanding and speaking the German language and English, with ease and propriety, &c. shall, from time to time, be appointed, and duly sworn, &c. to be the register of German passengers, and by virtue of his office, shall use and exercise all the powers and authorities of a justice of the peace, for the city and county of Philadelphia, as far as the same shall be required for the support and efficacy of his office, and the laws respecting the importation of German passengers, and binding them out servants, and not otherwise; and the health officer, having received from the captain of any vessel, importing German passengers, the list of their names, shall, with his German interpreter, review all the said passengers on board, men, women, and children, and inquire whether

any of them are superannuated, impotent, or otherwise, likely to become chargeable to the public, and make report thereof, in writing, to the said register, who, if he approves thereof, shall enter the same in a book, to be kept for that purpose, and transmit the original to the executive office, and give his order and license to land such of them as are returned sound, without any defect in mind or body.

2. All indentures of such German passengers, men, women, and children, by which they shall be bound to serve, and all assignments of servants made within the city of Philadelphia, shall be made and acknowledged before the said register or his lawful deputy, and by him certified, and the full contents thereof registered in the same manner, and to the same effect, as servants' indentures, and assignments of servants were heretofore by law made and acknowledged before the mayor of the city, and by him registered, &c.—the fees to be as heretofore.

3. All masters and mistresses of German redemptioners, who are minors, hereafter arriving at the port of Philadelphia, shall give to the said redemptioner six weeks schooling, for every year of his or her term of servitude; and it shall be the duty of the register of German passengers, to insert the same fully in their indentures.

Landing of Criminals, &c.

The legislature of Pennsylvania has ordained that no captain, or master of any vessel, or any other person or persons, shall knowingly or willingly import, bring, or send, or cause, or procure to be imported, brought, or sent, or be aiding or assisting therein, into this commonwealth, by land or water, any felon, convict, or person, under sentence of death, or any other legal disability, incurred by a criminal prosecution, or who shall be delivered or sent to him or her from any prison or place of confinement, in any place out of the United States.

Every captain, or master of a vessel, or any other person, who shall so import to this commonwealth, by land or water, or who shall, as factor or agent of the person or persons so offending, or as consignee, sell, or offer for sale, any such person as above described, knowing him or her so to be, shall suffer three months imprisonment, without bail or mainprize, and shall forfeit and pay, over and beyond the costs of prosecution, for every person so brought, or sold, or offered for sale, fifty pounds lawful money of Pennsylvania.

Every person who shall offend against this act, or any thing herein contained, shall, on conviction thereof, be adjudged, and ordered to enter into a recognizance, with sufficient sureties, to convey and transport, within such reasonable time as shall be ordered and directed by the court, to some place or places without the bounds, limits, and jurisdiction, of the United States, every such felon, convict, or other person, of the description aforesaid, which he or she shall have been convicted of having brought, imported, or sent, or having been aiding or assisting therein, into this commonwealth, against the true intent and meaning of this act, or of having so as aforesaid sold, or offered for sale; and in default of entering into such recognizance, with such sureties as aforesaid, he or she shall be committed to gaol, there to remain without bail or mainprize, until he or she shall enter into such recognizance, with such sureties as aforesaid, or until he or she shall cause every such person so as aforesaid by him or her imported, brought, or sent, or caused, or procured, to be imported, brought, or sent, or that he or she shall have been aiding or assisting in the importing, bringing, or sending, into this commonwealth, against the true intent and meaning of this act, or that he or she shall have been convicted of having so as aforesaid sold or offered for sale.

DELAWARE.

By an act passed 3d February, 1802, it is enacted,

Sec. 1. Before it shall and may be lawful for any master or owner, importer, bringer-in of any person or persons in any ship, or vessel, to land at any port or place within this state, any of the persons by him imported, or brought in, the

owner or master, importer, or bringer-in, of every person and persons, shall first give bond and sufficient security with warrant of attorney thereto annexed, in the sum of one thousand dollars, in the name of the trustees of the poor of the county where the owner or master, importer or bringer-in, of such ship or vessel may wish to land the person or persons by him imported, or brought in, conditioned, that he will indemnify and save harmless the county from any charges that may accrue by means of the person or persons by him imported and brought in.

2. If any master or owner, importer or bringer-in, of any person or persons, shall land at any port or place, before he shall have given bond and sufficient security to the trustees of the poor as aforesaid, the said master or owner, importer or bringer-in, shall forfeit and pay the sum of three thousand dollars.

Persons quitting or entering.

In Delaware it is ordained, that no person shall presume to depart this government, who hath resided three months next before his departure, in any of the counties of the same, but shall first signify the same in writing, under his hand affixed on the court-house door in the county wherein he shall reside, at least thirty days before his departure; or shall have a certificate under the hands and seals of two justices of the peace of the county.

If any person shall presume to transport or convey (or be aiding or assisting therein) any person out of this government, either by land or water, that hath not complied with this act, he shall make good and pay to the parties aggrieved, all damages that shall accrue by reason of the aiding, assisting, transporting, or carrying away, any such person as aforesaid, to be recovered by bill, plaint, or information, in any court of record within this government.

By the institutions of Delaware it is enacted, that all masters of vessels, and others, who shall import, land, or bring within the state, any person in the condition of a servant or otherwise, within the meaning of this act, who hath been convicted of any murder, burglary, rape, sodomy, perjury, or any other felony, at any time before such coming into this government, shall, before the said convicts be put on shore, pay the sum of five pounds for every such so brought in, the one moiety thereof to the governor for the time being, for the support of government, the other moiety to the collector appointed by this act, or the informer; and further, shall become bound, with good and sufficient security, to the treasurer of the county where such importation shall be made, in the sum of fifty pounds, for the good behaviour of such convict for the space of one year next after his or her coming into this government.

Be it enacted, that if any convict, servant, or passenger, being poor or impotent persons, shall be imported into the river Delaware, and be found within this government, at any time within the space of twelve months next after their being imported as aforesaid, and if it appear that such convicts were shipped, or taken on board to be imported into this government, and put or permitted to go on shore by such master or merchant, in any other government upon the river Delaware, or upon any island or place within said river, without making report, and complying with the directions of this act, the said master or merchant shall forfeit the sum of twenty pounds for every person so by him or them brought in; and shall further pay the same duties, and give the same security for such convicts, as aforesaid, as if such persons had been imported into this government, and report thereof made, according to the direction of this act.

On information given to any two justices of the peace within this government, that any old persons, infants, maimed, lunatic, or any vagabond or vagrant persons, are imported into this government, the said justices may compel the said master, merchant, or importer of such persons, to give sufficient security to carry and transport such persons from whence they were imported, or otherwise to indemnify the inhabitants of this government from any charge that may be brought upon them by the coming of such persons into the government.

All masters of vessels, merchants, and others, who shall bring into this government, by land or water, any men or women, passengers or servants, shall,

within twenty-four hours after arrival, make entry, and give or cause to be given, upon oath or affirmation, to the collector of the said duties where the importation is made, a true account of the names of the servants and passengers so brought in; and the said collectors shall call before them the said merchant, master, or other persons, importing such servants or passengers, and examine, on oath or affirmation, the said master, merchant, or other person, importing such servants or passengers, and all other persons who may be supposed to have any knowledge of the character or circumstances of such servants or passengers, and thereupon shall grant the master, merchant or owner, or other person, having the charge or care of any servants or passengers, so imported or brought in, a certificate containing the names of such whom the said collector shall judge fit to be landed, or disposed of, as servants, and do not appear to him to have been formerly convicted of any of the crimes mentioned in this act, or such as do not appear to be such infants, lunatic, maimed, aged, impotent, or vagrant persons, as he or they shall judge likely to be chargeable to the inhabitants of this government; for which examination, certificate, and permit, there shall be paid, where such importation is made, the sum of sixpence for every person so imported; and there shall likewise be paid to the collector aforesaid, for each bond he shall take in pursuance of any thing required to be done by virtue of this act, the sum of two shillings and sixpence.*

If, after such examination taken and certificate granted as aforesaid, it appear that any of the said persons, so landed or imported, are convicts, the master, merchant, or other person, who imported such, shall be liable to pay the same duty, and give the same security, as if no examination had taken place, or certificate been granted.

If any person shall be imported, or brought into, or landed within this government, contrary to this act, the master of the vessel, merchant, or other person, so importing, shall, for each person so imported, brought in, or landed, forfeit and pay the sum of two pounds.

MARYLAND.

An act relative to German and Swiss Redemptioners, passed 1817.

Whereas it has been found that German and Swiss emigrants, who for the discharge of the debt contracted for their passage to this country, are often obliged to subject themselves to temporary servitude, and frequently exposed to cruel and oppressive impositions by the masters of the vessels in which they arrive, and likewise by those to whom they become servants.

Sec. 1. Be it enacted, that there be annually appointed in every port of entry in this state, some trust-worthy person, skilled in the German and English languages, as register of all deeds for the apprenticeship, or for the servitude of German and Swiss emigrants, arriving from foreign parts at such port or place.

2. It shall be the duty of said Register, after he shall have taken an oath, to be administered by the Clerk of the county court of the county wherein he shall reside, that he will faithfully execute the duties of his office, without prejudice, or partiality; to open an office, to draw up, and to see to the due and legal execution of the instrument of writing, regulating the apprenticeship of every German or Swiss redemptioner, who shall after the passage of this law arrive within such port or

* This clause being thought rather derogatory to the freedom of persons of good fame and circumstances, it was repealed by the second section of an act, passed on the 7th May, 1797, as to all who could prove, by certificate, under the hand of the master, merchant, or owner of the vessel in which such persons were imported, that they had paid their passage-money, or were not indented to the master, merchant, or owner, and a penalty of three pounds imposed on exacting the duty. But, by a subsequent act, the duty is revived, and six cents made payable by the master of the vessel to the visiting physician, under that statute, for each passenger so imported, to be appropriated for the use of the poor.

place of this state, from beyond sea, and no indenture or writing relating to such apprenticeship shall be of any avail, unless the same be drawn up by said Register, or be by him approved of.

3. It shall be the further duty of said Register, immediately after the execution of any indenture relative to the apprenticeship of any such emigrant, to transmit the same to the clerk of the county court of the county, where such emigrant shall arrive, there to be recorded, for which recording the said clerk shall be entitled to receive the fees usual for recording such writings, to be paid by the persons to whom such indentures shall be made; and the said Register shall keep an accurate register or account of the name or names of every person indented or bound before him as aforesaid, their sex, age, time of apprenticeship or servitude, the country whence they came, to whom bound, and transmitted by said Register as aforesaid, for record.

4. No minor under the age of twenty-one years shall be indented before the said Register, except by his or her parents, or next of kin; and in default of relatives, then by the direction of the orphans' court of the county where such emigrant shall arrive.

5. Every such indenture shall contain a covenant or stipulation by the master or mistress of any minor under the age of twenty-one years, to give to such minor annually, at least two months schooling during his or her apprenticeship or servitude.

6. No emigrant shall in any case be bound to serve longer than four years, unless in case of male minors under the age of seventeen years, and female minors under the age of fourteen years, who may be obliged to serve any period, so that the males may be free at the age of twenty-one years, and the females at eighteen.

7. No German or Swiss emigrants arriving within any port, harbour or place in this state, shall be detained on board of the vessel in which he or she arrived, longer than thirty days after such arrival, and during this detention, such emigrants shall receive from the master, consignee, or owners of such vessel, good and sufficient provisions, without any increase in the period of apprenticeship or servitude, or any cost or charge on such emigrants.

8. If any emigrants shall be longer detained, or shall receive cruel or ill treatment from the master or officers on board of said vessel, or shall take sick, or be otherwise incapable of remaining on board, it shall be the duty of the register, after being informed of the complaint, to communicate the same to the judge of the county court of the county where such emigrant shall arrive, or to a judge of the Baltimore city court, if the emigrant shall arrive in the port of Baltimore, who on being satisfied of the correctness of the statement, may order and direct, that such emigrant shall, with his property, be brought on shore at the expense of the owners of the vessel, until some one shall contract for a term of servitude with such emigrant, and if no purchaser shall appear within thirty days after such emigrant shall come on shore, that is within sixty days after arrival, the master or owners of the vessel shall have no lien or claim on such emigrant, but the liability for the passage money, and other expenses, shall attach, like any other debt or contract; any contract, custom, or usage, to the contrary notwithstanding.

9. No child or children shall in any case be answerable in any manner for the freight or passage money of their parents, dead or alive, nor shall parents be responsible for the freight or passage money of the deceased children. nor a husband for his deceased wife, nor a wife for her deceased husband, any custom, pretended contract, promise or agreement made beyond sea, to the contrary notwithstanding.

10. All masters of vessels arriving at any harbour, port or place within this state, shall in case of the death of any German or Swiss emigrant, within ten days after his, her or their arrival, deliver to said register an accurate inventory, under oath, of all the property of such emigrant on board of such vessel, under the penalty of two hundred dollars, to be recovered as other fines are recoverable, and that the said register shall dispose at public sale of the same, and apply the proceeds to the payment of the passage money due by such emigrant, or said register may appraise the same, and the master or owners of the vessel may take such property at the appraised value in part payment, or satisfaction

of the claim for passage money: *Provided always*, that if the passenger died before the expiration of one half of the duration of the voyage, no passage money shall be due, but the heirs of the deceased shall be entitled to the proceeds, and the register shall be accountable for them to such heirs.

11. Said register shall be entitled for writing the deed of indenture, and registering the matters above mentioned, to the same fees as a notary public, and for the sale or appraisement of property in manner aforesaid, he shall be entitled to five per cent. commission on the gross amount; and if the proceeds arising from the sale as aforesaid should remain in hand uncalled for during three years, after publication in two newspapers, one of which shall be in Baltimore, which publication shall be made immediately after the sale, in such cases the proceeds, without interest, shall be paid over by the Register to the treasurer of the German Society of Maryland, for the use of said Society.

VIRGINIA.

By an act passed November 13, 1788, to prevent the importation of convicts,

It is enacted, That every captain or master of a vessel, or any other person, who shall presume to import, or bring into this commonwealth, by land or by water, or shall sell or offer for sale, any felon convict, shall suffer three months imprisonment, without bail or main prize, and forfeit and pay for every such person so brought and imported, or sold or offered for sale, the penalty of fifty pounds current money of Virginia.

* 15. No master of a ship or other vessel shall transport or carry any person whatsoever out of this commonwealth, unless such person shall first have published for six weeks successively in the Virginia gazette, his, or her resolution to depart therefrom, under the penalty of answering and paying every debt and duty such person at his or her departure out of this commonwealth shall owe, or stand bound for to the Commonwealth, or to any citizen thereof, by judgment, bond, bill, covenant, account, or by any other ways or means whatsoever, to be recovered against such master by action of debt, in any court of record within this commonwealth.

16. Every master of every ship or other vessel offending herein, shall be liable to be sued at any time for any debt due or owing from the person so transported. And whensoever any such action or suit shall be brought against him, the court wherein the same shall be depending, may rule the defendant to give special bail, and the clerk shall endorse on the writ, that appearance-bail, is required: Provided the plaintiff shall make affidavit before a magistrate of the cause of action, which shall be transmitted to the clerk of the court.

NORTH-CAROLINA.

By an act passed 1793, it is enacted that,

Sec. 6. Every person who shall introduce into this state any slave or slaves, after the passing hereof, from any of the United States which have passed laws for the liberation of slaves, shall, on complaint thereof before any justice of the peace, be compelled by such justice to enter into bond, with sufficient security, in the sum of fifty pounds, current money for each slave, for the removing such slave or slaves to the state from whence such slave or slaves were brought, within three months thereafter; the penalty whereof shall be recovered, one half for the use of the state, the other for the use of the prosecutor, on failure of a compliance therewith, and the person introducing such slave, shall also, in case of such failure, forfeit and pay the sum of one hundred pounds, to be recovered by any person suing for the same, and applied to his own use.

By an act passed 1787, it is enacted that,

Sec. 1. It shall not be permitted for the master or commander of any vessel to entertain any slave, negro, or mulatto on board such vessel at any time between sun-set and sun-rise, nor during the Sabbath day, unless such slave, negro or mulatto, shall belong to the vessel, or shall have a pass from his, her, or their master or mistress, or from some justice of the peace, expressing the time when and the business for which they go on board: and the master or commander of such vessel, on complaint and conviction before any two justices of the peace, shall be subject to a fine for entertainment of such slave, negro, or mulatto, of five pounds for the first offence, and ten pounds for every succeeding offence.

By an act passed 1792, it is enacted that,

Sec. 1. From and after the passing of this act, if any master or commander of any ship or vessel trading within this state, shall carry and convey out of the same on board of any such ship or vessel, any negro or mulatto slave or slaves, the property of any citizen or citizens of this state, without the consent in writing of the owner or owners, his, her, or their guardian or guardians of such slave or slaves, previously obtained; or shall take and receive on board of any such vessel or ship, any such slave or slaves, or permit or suffer the same to be done with the intent and for the purpose of carrying and conveying such slave or slaves out of this state, or shall wickedly and willingly conceal or permit to be concealed on board of any such ship or vessel, any negro or mulatto slave or slaves, who shall or may hereafter abscond from his, her, or their master or mistress, being citizens of this state, with the intent and for the purpose of enabling such slave or slaves, to effect his, her, or their escape out of this state, every such master or commander of any such ship or vessel so carrying and conveying, or so taking or receiving or concealing, or causing or permitting the same to be done with an intent as aforesaid, shall be deemed and taken to be guilty of felony, and shall suffer death as felon without benefit of clergy.

SOUTH CAROLINA.

Be it enacted, that all and every person or persons who shall inveigle, steal, or carry away any negro, or other slave or slaves; or shall hire, aid, or counsel any person or persons to inveigle, steal, or carry away, as aforesaid, any such slave, so as the owner or employer of such slave or slaves shall be deprived of the use and benefit of such slave or slaves; or that shall aid any such slave in running away, or departing from his master or employer's service, shall be, and he and they is and are hereby to be guilty of felony; and being thereof convicted or attainted by verdict or confession, or being indicted thereof, shall stand mute, or will not directly answer to the indictment, or will peremptorily challenge above the number of twenty of the jury, shall suffer death as felons, and be executed and debarred of the benefit of clergy.

GEORGIA.

Savannah Port Regulation.

Any master of any vessel arriving between the first of July, and last day of October, inclusive, from a foreign country, or from any other port of the United States, who shall enter his vessel at the custom-house, in the city of Savannah, shall, within twenty-four hours after such entry, make a report, in writing, on oath, to the mayor of said city, of the age, name and occupation of every person who shall have been brought as passenger in such vessel on her last voyage, upon pain of forfeiting the sum of seventy-five dollars for every alien neglected to be so reported.

Masters of vessels are to give bond, with two sureties, in a sum not exceeding 300 dollars for each passenger, to indemnify the city against any expense that may be incurred, for the maintenance and support of any such person so introduced, and for the maintenance and support of the child or children of any of such persons which may be born after such importation, in case such person so

- 5th. Regulations in entering goods.
- 6th. Regulations concerning distilled spirits, wines, and teas.
- 7th. Regulations in landing goods.
- 8th. Regulations for goods remaining on board.
- 9th. Appraisalment of goods.
- 10th. Collection of duties.
- 11th. Drafts, tares, and allowances for breakage, discount, &c.
- 12th. Regulations for clearing yessels and for the exportation of goods.
- 13th. Regulations for foreign vessels.
- 14th. Duties of custom-house officers.
- 15th. Fees.

As the act passed the 2d of March, 1799, contains the basis of our custom-house system, where no reference is given, the regulation will be found in that statute.

Part 1st. Coasting Districts.

* The sea coast of the United States is divided into three coasting districts, viz.—the first to include all the districts on the sea coast and navigable rivers, from the eastern boundary of the United States to the southern limits of Georgia; the second, from the river Perdido to the western limits of the United States; † the third, from the southern limits of Georgia to the river Perdido.

Part 2d. Regulations for Coasters.

American vessels, engaged in the coasting trade, to become entitled to be placed on the most favourable footing, must be enrolled and licensed for the coasting trade. The master, in all cases, must be an American citizen, and if she is carrying on said trade from one state to another, provided it be not to an adjoining state on the sea coast, or in the same state, then at least three-fourths of her crew must be American citizens, "or persons not the subjects of any foreign prince or state"—or she will be subject to a tonnage duty of fifty cents per ton, though this can be exacted but once a year.—Act of March 1st, 1817. Vide page 171.

When the enrolment or license of a coasting vessel expires on a voyage to, or after her arrival at, another district, she is obliged to obtain a "temporary register," which is not surrendered until she arrives at the port to which she belongs. Hospital money is to be paid for all the time she was sailing under the "temporary register," as well as for the time she sailed under the enrolment or license.

By a law passed March 2d, 1819, vessels of 20 tons burthen or upwards, licensed to trade between the different districts of the United States, are authorized to carry on the coasting trade between states in the above districts, or adjoining states in different districts, or between the different districts, upon the same terms, and subject to the same regulations, as were then prescribed in trading between the districts then established. For those regulations, vide pages 159, 160, 161, 162.

According to the above law, it is necessary for coasting vessels (except those from Georgia and Alabama) going from any port of the 1st or 2d district into the 3d, or vice versa, to enter and clear coastwise.

It is always necessary for such vessels to clear and enter when going from the 1st to the 2d district.

Licensed coasters of twenty tons burthen and upwards, may carry on such trade within the limits of either of the three great districts, without

* Act of 2d of March, 1819.

† Act of 7th of May, 1822.

being obliged to clear or enter at the custom-houses, provided they have not on board either

Distilled spirits, in casks, exceeding 500 gallons ;			
Wine, in do. dq.	250	do.	
Do. in bottles, do.	100	dozen ;	
Sugar, in casks or boxes, do.	3,000	pounds ;	
Tea, in chests or boxes do.	500	do.	
Coffee, in casks or bags, do.	1,000	do.	

Or, foreign merchandise, in packages as imported, exceeding in value 400 dollars ; or goods, wares, and merchandise, consisting of such enumerated or other articles of foreign growth or manufacture, or of both, whose aggregate value exceeds 800 dollars.—Act of 18th Feb. 1793.

The masters of licensed vessels having on board either of the above enumerated articles, must, before sailing, make out and subscribe duplicate manifests of the whole of the cargo on board of such vessel, stating the marks and numbers of every cask, bag, box, chest, or package, containing the same, with the name and place of residence of the shippers and consignees, and the quantity shipped by and to each ; which manifests must be delivered to the collector, if one resides within 5 miles, if not, to the surveyor, before whom he shall swear that such goods were legally imported, and the duties paid or secured. The collector or surveyor then certifies and returns one of the manifests to the master with a permit. Upon her arrival, and previous to her unloading, this certified manifest is delivered to the collector or surveyor of the port of arrival, to the truth of which he is sworn. If any other goods have been taken on board or landed since her departure, the master must make known and particularize the same to the collector or surveyor ; if not, he shall so declare, upon his oath or affirmation. Whereupon a permit is granted for the landing of the cargo. If no collector or surveyor reside within 5 miles of the said port, the goods may be landed ; but the master, upon arriving at the first port where a collector or surveyor resides, must, within 24 hours, deliver the said manifest, stating the times and places of the landing of the said goods upon his oath or affirmation, under the penalty of \$100. Vide page 160, Act of 18th Feb. 1793.

If such licensed coasting vessel is destined from a port in one great district, to a port in either of the others, it is necessary that the master should clear and enter his vessel as above, whether she laden as he above mentioned or not. If he fails to clear, having distilled spirits or goods of foreign growth or manufacture on board, he is subject to a fine of \$100 ; if the cargo be of goods of the growth or manufacture of the United States only, or he have no cargo on board, he is subject to a fine of \$50 ; and if he does not enter, to a fine of \$100 ; and the goods, wares, and merchandise of foreign growth or manufacture, or distilled spirits, found on board, or landed from such vessel, belonging to the master, owner, or mariners, are forfeited ; and if the same shall amount to the value of eight hundred dollars, such vessel, with her tackle, apparel, and furniture, is also forfeited. The collector or surveyor, upon his entrance, gives a permit for the landing of the cargo ; if part of the goods, enumerated above, only be landed, an endorsement thereof is made by the collector on the manifest. Vide page 161, Act of 18th Feb. 1793.

Coaster's Manifests.

The master of a coasting vessel is at all times bound to have a manifest of the cargo laden on board the vessel, which he commands, whether it is of a nature to require him to enter and clear or not ; and on failure thereof, if the lading of such vessel consists only of goods, the produce and manufacture of the United States, (distilled spirits excepted,) he is subject to a fine of twenty dollars. If there be distilled spirits : or goods, wares, or merchandise, of foreign growth or manufacture, on board, he is subject to a fine of forty dollars ; and if he refuses to inform any officer of the customs, from whence such vessel last sailed, and how long she has been in port, he is subject to a fine of one hundred dollars : and if any of the goods laden on board such vessel, belonging to the master, owner, or mariners, shall be of foreign growth or manufacture, or spirits distilled within the United States, so much of the same, as may

be found on board, and which shall not be included in the manifest required, is forfeited.

If any of the goods on board the coaster shall be of foreign growth or manufacture, and the duties have not been paid on them, they are forfeited in every case.

Registered Coasters.

Registered vessels, bound coastwise, from a port to another in the same state, or to one in an adjoining state on the sea coast, whether with or without cargo, are not subject to tonnage duty, neither are they subject to tonnage duty if in ballast only, from one port to another port in the United States.

They are, however, when they have on board cargo, taken in in one state to be delivered in any port of the United States beyond an intervening state on the sea coast, subject to tonnage duty on entry; which is increased from 6 to 50 cents per ton, if they have not three-fourths of their crew composed of American citizens, for instance—A registered vessel, bound from Boston to Salem, or to Newport, either in ballast or with articles of cargo, will not be subject to tonnage duty; because they are ports in the same, or an adjoining state: neither will she be subject to tonnage duty, if in ballast only, if she proceed to any port of the United States. But such a vessel, with articles of cargo on board, will be subject to tonnage duty, if she take in cargo or merchandise in Boston to be delivered in Portland; because there is an intervening state, on the sea coast.

A registered vessel, with cargo on board, taken in at New-York, and destined to Boston and Portland, will be obliged to enter and pay her tonnage duty, on her arrival at Boston; but if she takes on board no additional cargo at Boston, and proceed, with a certified manifest, to Portland, it has been considered that she will not be again subject to tonnage duty in Portland: but if she should change her crew in Boston, and it should be found, on her arrival at Portland, that she was not navigated according to law, she would be liable to pay 50 cents per ton tonnage.

Goods subject to an ad valorem duty, shipped coastwise,

If in the original packages in which they were imported, must be accompanied by an invoice, or a copy thereof, sworn to by the importer, as in case of goods imported, before the collector, with whom they were entered, and certified by the collector. This invoice and certificate must be produced at the port to which they are transported, and the goods are subject to inspection, as if they had been imported directly from a foreign place. If the invoice be not produced, the goods will be placed in the public store at the expense of the owner, until it be produced.—Act of 20th April, 1818.

This certificate must accompany all shipments of goods coastwise, although not shipped for the benefit of drawback.

If they are not in the original packages in which they were imported, they should be accompanied by the oath of the shipper, taken before the collector, stating the fact, and that the duties thereon have been paid, or secured to be paid, according to law.

Part 3d. Collection Districts.

The following table shows the collection districts, as now established, with the various local regulations. As alterations have been made almost every session, the dates of the statutes, making the alterations have not been inserted. A general reference will, perhaps, be deemed sufficient by the most curious reader, which will be found at the end of the table.

PORTS OF ENTRY AND DELIVERY.

The following Table shews the Districts of each State ; their names and extent ; ports of entry and delivery, distinguishing those for foreign vessels, and those for such as arrive from the Cape of Good Hope, and beyond ; residences of collectors, naval officers, and surveyors ; with remarks, showing where first to come to, deposit manifests, enter, &c.

EXPLANATION OF THE TABLE.

The words printed in roman capitals, thus, BOSTON, designate those places where a collector, naval officer, and surveyor, reside ; those in italic capitals, thus, *GLOUCESTER*, where a collector and surveyor reside ; those in small capitals, thus, *MARBLEHEAD*, where a collector resides ; those in italics, thus, *Beverly*, the places of residence of surveyors. Ports of entry and delivery for foreign vessels, are marked thus, † ; ports of entry for vessels from the Cape of Good Hope, and beyond, thus, ††. Foreign armed vessels are permitted to enter only such harbours as are marked thus, †, except when in distress or pressed by an enemy.

N. B. The entry must always be made within the time limited by law ; but may in all cases be with the collector of the district where the vessel is owned, or from which she may have sailed on the voyage from which she shall have returned. Foreign ships, however, can enter only in the district of delivery.

†† All ports of entry are ports of delivery.

MAINE—12 Districts.

<i>Names and extent of Districts.</i>	<i>Ports of Entry.</i>	<i>Ports of Delivery.</i>	<i>Remarks and Directions.</i>
1st. Kennebunk : comprehending the towns of Wells and Arundell, in Massachusetts, and the shores and waters thereof.	Kennebunk.	Kennebunk, Wells, Cape Porpoise.	May proceed to her port of delivery, and enter at port of entry afterwards.
2d. York.	York.	York.	See the remarks under Portsmouth, New-Hampshire.
3d. Saco.	†BIDDEFORD, †SACO.	†SACO, †BIDDEFORD, Scarborough.	May proceed to her port of delivery, and enter at port of entry afterwards.
4th. Portland and Falmouth.	††PORTLAND, and ††Falmouth.	††PORTLAND, †Falmouth, North Yarmouth, Brunswick, Freeport, Harpswell.	If bound to a port of delivery only, in this district, except North Yarmouth, Freeport, and Harpswell, must first come to at the port of entry, enter, report, &c. See Newburyport and law.
5th. Bath.	†BATH.	†BATH, Halliwell, Pitts-town, Topsham, Georgetown, Brunswick.	If bound to a port of delivery only, in this district, except Georgetown and Brunswick, must first come to at the port of entry, enter, report, &c.
6th. Wiscasset.	†WISCASSET.	†WISCASSET, Booth-bay.	Vessels belonging to the towns of Edgcomb and Newcastle, in the state of Maine, having entered at Wiscasset, and taken an officer on board, may unlade in the parts of those towns, which adjoin Sheepscut river.

MAINE continued—12 Districts.

Names and extent of Districts.
7th. Belfast, and all the waters and harbours on the W. shore of Penobscot bay, from Camden to Bangor, both inclusive.
8th. Penobscot.

9th. Frenchman's Bay.

10th. Machias.

11th. Passamaquoddy.

*12th. Waldoborough: all the waters and shores from the middle of Damarascott river, to the southerly side of the town of Northport.

Ports of Entry.
†BELFAST.

†CASTINE, Penobscot.

†FRENCHMAN'S BAY.

†MACHIAS.

PASSAMAQUODDY.

WALDOBOROUGH.

Ports of Delivery.
†BELFAST, Bangor.

†CASTINE, Frankfort, Bluehill, Hampden, Deer Island.

†FRENCHMAN'S BAY. Union River.

†MACHIAS.

PASSAMAQUODDY, East-
port.

WALDOBOROUGH, Bristol, Nobleborough, Warren, Thomaston, Cush-
ing, Camden, and that
part of Ducktrap between
Camden and Northport.

Remarks and Directions.
May proceed to her port of delivery, and enter at port of entry afterwards.

Ditto.

Ditto.

Ditto.

Ditto.

Ditto.

NEW-HAMPSHIRE—1 District.

†† PORTSMOUTH.

District of Portsmouth: the whole state to the northern boundary line, and also the towns of Kittery and Berwick, in Maine.

The district of White Mountains, created by a law of March, 1811, reannexed to this District by a law passed May 7th, 1822.

†† PORTSMOUTH.

Newcastle, Dover, Exeter, Kittery, and Berwick.

Vessels bound to the district of Portsmouth, may proceed to their port of delivery, and enter at a port of entry afterwards; if bound to Kittery or Berwick, may, at the option of the master, enter at York in Maine, and take permits to land from him.

* Within Maine the collector of the several districts, whose limits are not marked out by the act, are, from time to time, to agree upon divisional lines, and transmit them to the comptroller of the treasury: such divisions, so agreed upon, to include all the waters, shores, and islands within the same, and all the lands adjoining the British colonies of New-Brunswick and Lower Canada, within the state of Maine; in case of disagreement, the President of the United States to determine the divisions.

MASSACHUSETTS—12 Districts.

<i>Names and extent of Districts.</i>	<i>Ports of Entry.</i>	<i>Ports of Delivery.</i>	<i>Remarks and Directions.</i>
1st. Newburyport : from the state of New-Hampshire, to the north line of Ipswich.	†† NEWBURYPORT.	†† NEWBURYPORT, Almsbury, Salisbury, Haverhill, Newbury.	If bound to a port of delivery only, must first come to at the port of entry, report, enter, in writing, and pay or secure all legal duties, port fees, charges, &c. before proceeding to the port of delivery.
2d. Gloucester : all the waters and shores in the towns of Gloucester and Manchester.	†† GLOUCESTER.	†† GLOUCESTER and Manchester.	Bound to the district of Gloucester, may proceed to their port of delivery, and report and enter at port of entry afterwards, within the time prescribed by the act of March 2d, 1789.
3d. Salem and Beverly : all the waters and shores within the towns of Beverly, Salem, and Danvers.	†† SALEM, †† BEVERLY.	†† SALEM, †† BEVERLY, and Danvers.	May proceed to her port of delivery, and enter at port of entry afterwards.
4th. Marblehead : the waters and shores within the towns of Marblehead and Lynn.	†† MARBLEHEAD.	†† MARBLEHEAD, Lynn.	Ditto.
5th. Boston and Charlestown : all the waters and shores within the counties of Middlesex, Suffolk, and Norfolk.	†† BOSTON, †† CHARLESTOWN.	†† BOSTON, †† CHARLESTOWN, Medford, Cohasset, Hingham, Weymouth, Roxbury, and Cambridge.	May proceed to her port of delivery, and enter at port of entry afterwards.
6th. Plymouth : all the waters and shores within the county of Rochester.	†† PLYMOUTH.	†† PLYMOUTH, Scituate, Duxbury, Kingston.	Ditto.
7th. Barnstable : all the waters and shores within the county of Barnstable.	BARNSTABLE.	BARNSTABLE, Sandwich, Falmouth, Hardwick, Wellfleet, Provincetown, Chatham.	Ditto.
8th. Nantucket : the island of Nantucket.	†† PORT OF NANTUCKET.	†† PORT OF NANTUCKET.	Ditto.
9th. Edgarton : all the waters and shores within the county of Duke's county.	EDGARTON.	EDGARTON.	Ditto.
10th. New-Bedford : all the waters and shores within New-Bedford, Dartmouth, Westport, Rochester, and Wareham, together with all the islands within the county of Bristol.	†† NEW-BEDFORD.	†† NEW-BEDFORD, Westport, Rochester, Wareham.	Ditto.
11th. Dighton : all the waters and shores on Taunton river, and in the town of Rehoboth.	†† DIGTON.	†† DIGTON, Swansea, Freetown, Berkeley, Taunton.	Ditto.
12th. Ipswich.	†† IPSWICH.	†† IPSWICH.	Ditto.

PROVIDENCE and RHODE-ISLAND—3 Districts.

<i>Names and extent of Districts.</i>	<i>Ports of Entry.</i>	<i>Ports of Delivery.</i>	<i>Remarks and Directions.</i>
<p>1st. Newport: all the waters, shores, bays, harbours, creeks, and inlets, from the west line of the state, all along the sea coast, and northward up the Narraganset Bay, as far as the most southerly part of Warwick Neck, and from thence nearly a north-east course, to the south end of Rumstick Point, at high water mark, and shall include the several towns, harbours, and landing places of Westerly, Charlestown, South Kingston, North Kingston, East Greenwich, and all that part of Warwick, southward of Warwick Neck; and also all the towns, harbours, and landing places of Tiverton, Little Compton, and all other towns, landing places and harbours of the island of Rhode Island, Jamestown, Prudence, New-Shoreham, and every other place and island within the state, southward of Warwick Neck and Rumstick Point.</p> <p>2d. Providence: all waters, shores, bays, harbours, creeks, and inlets, within the state of Rhode-Island, northward of a line running nearly north-east, from the south end of Warwick Neck to the south end of Rumstick Point, at high-water mark, including only the waters bounded by the east and west shores of said Rumstick Point and Warren Neck, leading up the bay of the port of Providence.</p> <p>3d. Bristol: that town, and also Warren and Barrington, and all the shores and waters round the same, in the following limits, viz.—a line beginning at the middle of the Bay between Mount Hope and Common-Fence Point, running south-westwardly through the middle of Bristol Ferry, and continuing such course until it strikes a point of equal distance from Rhode-Island to Prudence-Island, from thence northwardly on a straight line to the westernmost part of Nahant Point.</p>	<p>NEWPORT.†</p>	<p>NEWPORT, North-Kingston, East-Greenwich, Pawcatuck river in Westerly, Tiverton.</p>	<p>May proceed to her port of delivery, and enter at port of entry afterwards.</p>
	<p>PROVIDENCE.†</p>	<p>PROVIDENCE, Pawtuxet.</p>	<p>Ditto.</p>
	<p>BRISTOL.†</p>	<p>BRISTOL, Warren, Barrington.</p>	<p>Ditto.</p>

CONNECTICUT—4 Districts.

<i>Names and extent of Districts.</i>	<i>Ports of Entry.</i>	<i>Remarks and Directions.</i>
1st. New-London : from the east line of Connecticut to Lyme, including that place and the several towns or landing places of Norwich, Stonington, and Groton.	††NEW-LONDON. Stonington, Norwich, Lyme, Groton.	Must proceed to the port of entry, enter, report, &c. unless bound to the port of Stonington. The surveyor at Saybrook may inspect vessels bound to Lyme.
2d. New-Haven : from the west line of the district of New-London westwardly to Ousatumnick River.	††NEW-HAVEN. ford, Branford, Milford, Derby.	May proceed to the port of delivery, and enter at port of entry afterwards.
3d. Fairfield : all places and ports in Connecticut west of the district of New-Haven.	†FAIRFIELD, Norwalk, Stratford, Stamford, Greenwich.	Ditto.
4th. Middletown : the towns and landing places of Saybrook, Killingsworth, Haddam, East Haddam, Middletown, Chatham, Weathersfield, Glastonbury, Hartford, East Hartford, Windsor, and East Windsor.	††MIDDLETOWN, Saybrook, Killingsworth, Haddam, East Haddam, Middletown, Chatham, Weathersfield, Glastonbury, Hartford, East Hartford, Windsor, and East Windsor.	Must proceed to the port of entry, enter and report, except bound to Saybrook, Killingsworth, Haddam, and East Haddam. [†] Observe—vessels from foreign ports, or having on board goods on which the duties have not been secured, bound to any port on Connecticut river, must take on board an inspector at Saybrook, and if bound to any district of this state, and coming through Sandy-Hook, must leave a manifest of the cargo on board, with the collector of New-York, under the penalty of \$500.

NEW-YORK—8 Districts.

<i>Names and extent of Districts.</i>	<i>Ports of Entry.</i>	<i>Remarks and Directions.</i>
1st. Sag-Harbour : all the bays, harbours, rivers, shores within the two points of Oyster Pond and Mantauck.	†SAG-HARBOUR.	May proceed to port of delivery, and enter afterwards at port of entry.
2d. New-York : all parts of the coasts, rivers, bays, and harbours of the state, which are not included in the other districts, particularly Newburgh, Poughkeepsie, Esopus, Kinderhook, Albany, and all that part of New-Jersey north and east of Elizabeth town and Staten Island.	††NEW-YORK, Newburgh, Poughkeepsie, Esopus, Kinderhook, Albany, Hudson. †Jersey.	N. B. The President of the United States may appoint, if he deem it expedient, one other surveyor, to reside at such other place than Albany, as he may think fit. An assistant collector resides at Jersey, who may clear and enter vessels, but he must act in conformity to the instructions he may receive from the collector at New-York.

NEW-YORK continued—8 Districts.

<i>Names and extent of Districts.</i>	<i>Ports of Entry.</i>	<i>Remarks and Directions.</i>
3d. Champlain : all such shores and waters of Lake Champlain, and the rivers connected therewith, as lie within the state of New-York, extending westwardly to the northern boundary line of the state, to the place where it is bounded by the River St. Lawrence.	Port and residence of a collector to be appointed by the President of the United States.	May proceed to port of delivery, and enter at port of entry afterwards. Masters of steam-boats on Lake Champlain, bound into Lower Canada, may deliver a manifest of the cargo on board, or take a clearance from the collector of the district through which she shall last pass, when leaving the United States, without regard to the place of her commencing the voyage, or of lading. When the duties on goods imported shall have been secured, the goods may be landed in any part of the district, or in any other next the Lake.
4th. Oswegatchie : all the shores and waters of the St. Lawrence in the state of New-York, east of the west boundary of the county of St. Lawrence, and west of the west boundary of Champlain district.	OGDENSBURGH.	OGDENSBURGH.
5th. Oswego : all the shores and waters of the River St. Lawrence, from the west boundary of St. Lawrence county, and all the shores and waters of Lake Ontario, and the rivers and waters connected therewith, within the state of New-York, to the west of Sodus bay.	SACKETT'S HARBOUR. CAPE VINCENT. OSWEGO.	SACKETT'S HARBOUR. CAPE VINCENT. OSWEGO.
6th. Genesee : all the shores and waters of Ontario, within the state of New-York, from the western extremity of Sodus bay to the eastern extremity of Oak Orchard Creek.	RIVER GENESSEE.	RIVER GENESSEE.
7th. Niagara : all the shores and waters of Lake Ontario, and the waters connected therewith, within the state of New-York, to the westward of the west bank of Genesee River.	LEWISTOWN.	LEWISTOWN.
8th. Buffalo Creek : all the shores, rivers, and waters that empty into Lake Erie, or the River Niagara, within the state of New-York.	BUFFALO.	BUFFALO.

May proceed to the port of delivery, and enter at port of entry afterwards. By the language of several statutes it would seem, that Cape Vincent and Sackett's Harbour were separate districts, but as the statutes, describing their boundaries cannot be found—they are included in Oswego district.

Ditto.

Ditto.

Ditto.

VERMONT—1 District.

Names and extent of Districts.

The whole state, to include all such shores and waters of Lake Champlain, and the rivers connected therewith, as lie within the said state, and shall also extend along the northern boundary line of the state, adjoining to the British colony of Lower Canada.

Ports of Entry.

Not to be more than two, and appointed by the President of the United States.

Remarks and Directions.

NEW-JERSEY—5 Districts.

1st. Perth-Amboy.

all that part of New-Jersey, known by the name of East New-Jersey (except what is within New-York and Little Egg-Harbour district) together with all the waters thereof heretofore within the jurisdiction of that state.

2d. Burlington.

that part called West New-Jersey, to the eastward and northward of the county of Gloucester, with all the waters thereof, formerly in the jurisdiction of the same state.

3d. Bridgetown.

the counties of Gloucester, Salem, Cumberland, and Cape May, (excepting the parts of Gloucester and Cape May within Great Egg-Harbour district) and all the waters thereof heretofore, within the jurisdiction of the said state.

4th. Great Egg-Harbour.

the river of Great Egg-Harbour, with all the inlets, bays, sounds, rivers, and creeks along the sea coast, from Brigantine Inlet to Cape May.

5th. Little Egg-Harbour.

all the shores, waters, bays, rivers, and creeks from Barnegat Inlet to Brigantine Inlet, both inclusively.

May proceed to the port of delivery, and enter at port of entry afterwards.

Must, before passing Philadelphia, deposit with the collector there a manifest of the cargo on board and receive an inspector on board if ordered, may then proceed to the port of delivery, and enter afterwards at the port of entry, under penalty of \$500.

May proceed to port of delivery, and enter at port of entry afterwards.

PENNSYLVANIA—2 Districts.

1st. Philadelphia.

all the shores and waters of the River Delaware, and the rivers and waters connected therewith, lying within the state of Pennsylvania.

2d. Philadelphia.

PENNSYLVANIA continued—2 Districts.

<i>Names and extent of Districts.</i>	<i>Ports of Entry.</i>	<i>Ports of Delivery.</i>	<i>Remarks and Directions.</i>
2d. Presque-Isle : all the shores and waters of Lake Erie, and the rivers and waters connected therewith, within the state of Pennsylvania.	PRESQUE-ISLE.	PRESQUE-ISLE.	

DELAWARE—1 District.

<i>The whole state.</i>	WILMINGTON.	WILMINGTON, Newcastle, Port Penn.	May proceed to the port of delivery, and enter at port of entry afterwards.
-------------------------	-------------	-----------------------------------	---

MARYLAND—7 Districts.

<i>Names and extent of Districts.</i>	<i>Ports of Entry.</i>	<i>Ports of Delivery.</i>	<i>Remarks and Directions.</i>
1st. Baltimore : Patapsco River, Turkey Point, Spes Utæ Island, all the waters and shores on the west side of Chesapeake Bay, from the mouth of Mathey River, Chester River, all the waters and shores on the east side of Chesapeake Bay from the south side of Elk River, and Wye River inclusive.	BALTIMORE.	BALTIMORE, CHESTER, Georgetown, on Sassafras River. HAVRE-DE-GRAVE.	Ditto.
2d. Oxford : all the waters and shores on the eastern side of Chesapeake Bay, from the north side of Wye River, and the eastern Bay, to the south side of Great Choptank River, inclusive.	OXFORD.	OXFORD, Cambridge, Easton.	Ditto.
3d. Vienna : all the waters and shores on the eastern side of Chesapeake Bay, from the south side of Great Choptank River, to the south side of Hooper's Point, Haynes Point, Wyoming River inclusive.	VIENNA.	VIENNA, Salisbury.	Ditto.
4th. Snowhill : all the waters and shores on the sea coast, from the north line of Virginia to the south line of Delaware, together with all the waters and shores on the eastern side of Chesapeake Bay, from the south side of Pocomoke River inclusive, as far as the state of Maryland extends.	SNOWHILL.	SNOWHILL, for the West-India trade only, Sini-pxent.	Ditto.
5th. Annapolis : Magety River, and all the waters and shores from thence to Drum Point, on Patuxent River, together with the said river, and all the navigable waters emptying into the same.	ANNAPOLIS.	ANNAPOLIS. Benedict, Lower Marlborough, Town Creek, Sylvey's landing.	Ditto. But must, before passing Town Creek, deposit a manifest of the cargo on board, and receive an inspector on board if ordered, with the surveyor there, under the penalty of \$500.

MARYLAND continued—7 Districts.

<i>Names and extent of Districts.</i>	<i>Ports of Entry.</i>	<i>Ports of Delivery.</i>	<i>Remarks and Directions.</i>
6th. St. Marys: all the waters of the Potomack, within the jurisdiction of the state of Maryland, from Point Look-out to Pomouky Creek, inclusive.	†St. MARYS.	†NANTICUM, Cedar Point, †St. MARYS, <i>Lewellensburgh.</i>	May proceed to port of delivery, and enter at port of entry afterwards.
7th. Georgetown: all the waters and creeks from Pomouky Creek, on the north side of the Potomack, to the head of the navigable waters of the said river, within the jurisdiction of the state of Maryland.	†GEORGETOWN.	†GEORGETOWN, †DIGBURY, †CARROLLSBURG.	Ditto. See Alexandria below.

VIRGINIA—8 Districts.

<i>Names and extent of Districts.</i>	<i>Ports of Entry.</i>	<i>Ports of Delivery.</i>	<i>Remarks and Directions.</i>
1st. Norfolk and Portsmouth: all the waters, shores, bays, and inlets, within the southern boundary of the state, to the mouth of James River; thence up the south side of James River, to Hood's inclusive, and up Elizabeth River to the highest tide water thereof; and all the waters, shores, bays, harbours, and inlets, between the south side of the mouth of York River, and along the west shore of Chesapeake Bay, thence up the northern side of Chincobiny River.	†NORFOLK, †PORTSMOUTH, †HAMPTON.	†NORFOLK, †PORTSMOUTH, †SUFFOLK, †SMITHFIELD, †HAMPTON, South Quay.	Must come to first at the port of entry, report, enter, &c. When bound to South Quay, or to any part of the state to the south of Cape Henry, must deposit with the collector of Edenton, before passing that place, a manifest of the cargo on board.

From PETERSBURGH to tCity-Point.

The same as the port of entry.
Before passing Sewall's Point, and immediately after arrival at the same, or at Hampton road, a manifest is to be deposited with the collector for Norfolk and Portsmouth, or with the one for Hampton, and an inspector to be received on board if ordered. If the vessel has goods on board for this district, and that of Richmond also, must deliver duplicate manifests at the time of her entry, one to be forwarded to the collector of the other district, under the penalty of \$500.

The vessel in this case must be entered in the district where her owner, consignee, or acting manager resides. The delivery of the goods is authorized by permits from the collector of the district in which the goods were entered. All entries, made by agents for persons residing in other districts, must be made in the district where the vessel may discharge.

6th. St. Marys: all the waters of the Potomack, within the jurisdiction of the state of Maryland, from Point Look-out to Pomouky Creek, inclusive.
7th. Georgetown: all the waters and creeks from Pomouky Creek, on the north side of the Potomack, to the head of the navigable waters of the said river, within the jurisdiction of the state of Maryland.

1st. Norfolk and Portsmouth: all the waters, shores, bays, and inlets, within the southern boundary of the state, to the mouth of James River; thence up the south side of James River, to Hood's inclusive, and up Elizabeth River to the highest tide water thereof; and all the waters, shores, bays, harbours, and inlets, between the south side of the mouth of York River, and along the west shore of Chesapeake Bay, thence up the northern side of Chincobiny River.

3d. Petersburg: Petersburg itself, City Point, all the waters, shores, bays, harbours, and inlets of James River, from Hood's, and the junction of the Chickahominy, to the junction of the James and Appomattox rivers; from thence to the highest tide water of Appomattox, and also to the highest tide water mark of the Chickahominy. [The preceding word is so spelt in the act.]

VIRGINIA continued—8 Districts.

<i>Names and extent of Districts.</i>	<i>Ports of Entry.</i>	<i>Remarks and Directions.</i>
3d. Richmond : Richmond itself, Manchester, and Bermuda Hundred, and all the waters, shores, bays, harbours, and inlets of James River from Bermuda Hundred, including the harbour thereof, to the highest tide water of James River.	From RICHMOND and Manchester to [†] Bermuda Hundred.	The same regulations are to be adopted on going to any district up James River, above Sewall's Point, if the vessel has goods on board for this district and that of Petersburg, must deliver duplicate manifests at the time of her entry, one to be forwarded to the collector of the other district.
4th. Yorktown : all the waters, shores, bays, harbours, and inlets, between the point forming the south shore of the mouth of Rappahannock River, and the point forming the south shore of the mouth of York River, and thence up the said river to West Point, and thence up the Pamunkey and Mattaponi rivers to the highest navigable waters thereof.	YORKTOWN.	N. B. By the old law at Bermuda Hundred, City Point, and Rocket's Landing, foreign vessels, not from the Cape of Good Hope and beyond, might enter, &c. and unlade; the late act, dividing that district, does not specify any alteration in this respect : it is presumed, therefore, that the law is as before.
5th. East River : all the waters, shores, &c. of North and East River, Mobjack Bay, and all other navigable waters, shores, &c. within the county of Mathews.	YORKTOWN, [†] West Point, Cumberland.	Must come to first at the port of entry, report, enter, &c.
6th. Tappahannock : all the waters, shores, harbours, bays, and inlets, between Smith's Point, at the mouth of the Potowmack River, and the point forming the south shore of the Rappahannock River, up to its highest tide water : Yeocomico River and Kin-sale, and from Smith's Point on the south side of the Potowmack, including all the waters, shores, bays, harbours, creeks, and inlets, along the south shore of Potowmack River to Cockpit Point.	TAPPAHANNOCK.	Must first come to at port of entry, report, enter, &c. unless bound to Urbanna, or Edenton, but must always, before passing Urbanna, deposit a manifest of the cargo on board, and receive an inspector on board if ordered, with the surveyor there, under penalty of \$500.

VIRGINIA continued—9 Districts.

<i>Names and extent of Districts.</i>	<i>Ports of Entry.</i>	<i>Remarks and Directions.</i>
7th. Alexandria : all the waters, bays, shores, harbours, creeks, and inlets, on the south side of the Potomack, from Cockpit point to the highest tide water.	††ALEXANDRIA.	Articles inspected in one part of the District of Columbia are not subject to a second inspection in any other port in that district.
8th. Folly landing: all the waters, shores, bays, and harbours, of the county of Accomack.	Folly Landing; collector to reside at Accomack court-house.	
9th. Cherrystone : all the waters, bays, shores, harbours, and inlets, within Northampton county.	CHERRYSTONE.	

NORTH-CAROLINA—8 Districts.

<i>Names and extent of Districts.</i>	<i>Ports of Entry.</i>	<i>Remarks and Directions.</i>
1st. Wilmington : all the waters, shores, bays, harbours, creeks, and inlets; from Little River inlet, inclusive, to New River inlet inclusive.	††WILMINGTON.	May proceed to the port of delivery, and enter at port of entry afterwards.
2d. Newbern : all the waters, shores, bays, harbours, creeks, and inlets, from Dog Island, together with that part of Pamlico sound, which lies southward and westward of the shoal projecting from the mouth of Pamlico river towards Royal shoal, and southward of the same.	††NEWBERN.	
3d. Beaufort : all the water and shore north and east of the said town to Harbour Island, and south and west of the said town to Dog Island, inclusive.	††BEAUFORT.	
4th. Washington : all that part of Pamlico sound not included in Newbern district, as far north as the marshes.	††WASHINGTON TOWN.	No duties shall be paid, or secured to be paid, in this district upon articles bound to another port connected with the waters of this inlet, unless upon goods cast away within the district. Vessels arriving must be reported to the collector, who shall superintend the unloading of all vessels from which goods must be discharged in lighters; all such goods shall be secured by fastenings under the seal of the collector, who gives permits describing the goods, vessel, owners of the goods, and port of destination. The masters of the lighters give triplicate receipts, and if the goods
5th. Ocracoke, to include Ocracoke inlet, Shell and Beacon islands, and all the other shores, islands, bays, waters, and shoals, within two miles of said inlet on each side thereof.	The port of entry designated by the President. N.B. Vessels coming in at Ocracoke inlet, and obliged to employ lighters before they pass the Royal shoal, may enter at any port of entry connected with the waters where bound; and if coming in ballast, for the	
	††WASHINGTON TOWN, North side of the mouth of Stades creek.	

NORTH-CAROLINA continued—8 Districts.

<i>Names and extent of Districts.</i>	<i>Ports of Entry.</i>	<i>Ports of Delivery.</i>	<i>Remarks and Directions.</i>
6th. Edenton : all the waters, bays, harbours, creeks, and inlets, from the marshes, inclusive, northward and westward, except those included in the district of Camden.	purpose of loading without the shoals, at any port connected with the waters of the inlet.	††EDENTON.	should not be transported to the port of destination, unavoidable accidents excepted, or if the seals or fastenings should be broken, the master forfeits \$500. These deliveries are endorsed by the collector on the original manifests of the vessels to be exhibited to the collector of the interior district.
7th. Plymouth : the rivers Roanoke and Cashie, and all the waters and harbours belonging thereto.	††EDENTON.	††EDENTON, <i>Hertford, Murfreesborough, Princeton.</i>	If intending to proceed to Plymouth, Windsor, Murfreesborough, or Princeton, must come to and enter at Edenton; if bound to Hertford, may proceed there, report, enter, &c. afterwards at port of entry.
8th. Camden : North river, Pasquotank and Little rivers, all the waters, shores, bays, harbours, creeks, and inlets, from the junction of Currituck and Albemarle sounds, to the north extremity of Blackbay.	††PLYMOUTH.	††PLYMOUTH, <i>Windsor.</i>	May proceed to her port of delivery, and enter at port of entry afterwards.
	††ELIZABETH CITY on Pasquotank river.	††ELIZABETH CITY on Pasquotank river, <i>Currituck.</i>	

SOUTH-CAROLINA—3 Districts.

	<i>Ports of Entry.</i>	<i>Ports of Delivery.</i>	<i>Remarks and Directions.</i>
1st. Georgetown : all shores, inlets, and rivers, from the boundary of North Carolina, to the point of Cape Romain.	††GEORGETOWN.	††GEORGETOWN.	May proceed to the port of delivery, and enter afterwards at port of entry.
2d. Charleston : all the shores, inlets, and rivers, from Cape Romain to Combahee river, inclusive.	††CHARLESTON.	††CHARLESTON.	
3d. Beaufort : the shores, inlets, and rivers, from Combahee river to Dick river, in Georgia.	††BEAUFORT.	††BEAUFORT.	

GEORGIA—5 Districts.

	<i>Ports of Entry.</i>	<i>Ports of Delivery.</i>	<i>Remarks and Directions.</i>
1st. Savannah : all the waters, shores, harbours, rivers, bays, creeks, and inlets, from the said river to the north point of Ossabaw Island, and Great Ogeechee rivers, inclusive.	††SAVANNAH.	††SAVANNAH, and by permit from the collector, and any where but at the port of delivery be granted any other place within the district.	An inspector to be taken on board, if a permit to land any where but at the port of delivery be granted, and the collector think it necessary.

<i>Names and extent of Districts.</i>	<i>Ports of Entry.</i>	<i>Ports of Delivery.</i>	<i>Remarks and Directions.</i>
2d. Sunbury, and all the waters, shores, harbours, rivers, creeks, bays, and inlets, south of the north point of Ossabaw Island and Great Ogeechee rivers, exclusive, and north of the south point of Sapelo Island, and inclusive, except such part as is included in Hardwicke district.	††SUNBURY.	††SUNBURY, and by permit from the collector, any place within the district.	
3d. Brunswick: all the waters, shores, harbours, creeks, bays, and inlets, from the south point of Sapelo Island, exclusive, to the south point of Jekyll Island, and inclusive.	†DARIEN.	†DARIEN, Brunswick, Frederica, and by permit from the collector, any other place in the district.	May proceed to the port of delivery, and enter at the port of entry afterwards; if a permit be granted to land at any other place than the port of delivery, the collector may order an inspector on board.
4th. Hardwicke: all the waters, shores, bays, harbours, creeks, and inlets, between the south point of Ossabaw Island and the south point of Warsaw Island.	HARDWICKE.		
5th. St. Marys: all the waters, islands, shores, bays, harbours, creeks, and inlets, from the south point of Jekyll Island, exclusive, to the river Nassau in Florida.	†ST. MARYS.	†ST. MARYS, and by permit ditto.	If a permit be granted to land at any other place than the port of delivery, the collector may order an inspector on board.
FLORIDA—4 Districts.			
1st. St. Augustine: all the ports, harbours, shores, and waters, of Florida and of the islands opposite and nearest thereto, from the river Nassau to Cape Sable.	St. Augustine.		Spanish vessels, until May 22, 1833, are admitted into St. Augustine and Pensacola on the same terms as vessels of the United States; provided they are loaded with the productions of Spanish growth or manufacture, directly from the ports of Spain or her colonies.
2d. Key West: all the ports, &c. from Cape Sable to Charlotte Bay.	Ports of entry to be designated by the President, until then this is a part of the next district.		
3d. Apalachicola: all the ports, &c. from Charlotte Bay to Cape St. Blas.	Port of entry to be designated by the President.		
4th. Pensacola; residue of the ports, &c. of Florida.	††PENSACOLA.	††PENSACOLA.	
ALABAMA—1 District.			
Mobile: all the shores, inlets, and waters of Mobile bay, and of the rivers, &c. emptying into the Gulf of Mexico, east of Mobile river, and west thereof to the eastern boundary of Louisiana.	††Mobile.		

LOUISIANA—2 Districts.

Ports of Entry.

Ports of Delivery.

Remarks and Directions.

1st. Mississippi: all the waters, shores, and inlets, of the river Ohio, with the rivers, shores, and waters connected therewith; all the waters, shores, and inlets of the river Mississippi, and all other navigable rivers and waters connected therewith, lying within the jurisdiction of the United States; and all the navigable waters, rivers, creeks, bays, and inlets, within the United States emptying into the Gulf of Mexico, lying west of the eastern boundary of the state of Louisiana, and east of the Atchafalaya.

2d. Teche: all the shores, bays, and rivers, within the United States to the west of Atchafalaya, including the river Teche.

††New-Orleans, Pittsburgh, Natchez, Louisville, Bayou St. John, Charlestown, Marietta, Cincinnati, Limestone, Massac.

The surveyors at Natchez and Louisville give temporary registers, which can be changed at New-Orleans, and permanent registers obtained, upon the usual conditions. Must come to at the port of entry, report, &c. take an inspector on board if ordered, under penalty of \$500. Vessels trading at Bayou St. John, may clear out at New-Orleans and enter the same as if they came by the way of the Mississippi. If bound to any other port in this district, must report, enter, and take an inspector on board at New-Orleans, before proceeding to her port of delivery, under penalty of \$500.

NOVA IBERIA.

MISSISSIPPI—1 District.

Pearl river: all the bays, waters, and shores on Lake Borgue and the Gulf of Mexico, and all the rivers emptying therein within the limits of the state of Mississippi.

At such place at the mouth of Pearl river as the President shall designate.

NORTH WESTERN STATES and TERRITORY—5 Districts.

1st. Cuyahoga: all the waters, shores, and inlets, of Lake Erie within the jurisdiction of the United States, and the rivers and waters connected therewith, from the west line of the state of Pennsylvania to the west bank of Vermilion river.

2d. Sandusky: all the shores and rivers of Lake Erie within the United States, from the western cape of Sandusky Bay to the western bank of Vermilion river.

3d. Miami: all the shores and rivers of Lake Erie within the United States, from the western cape of Sandusky Bay to the north cape of Miami Bay.

4th. Detroit: all the shores and inlets of the lakes Erie, St. Clair, and Huron, within the jurisdiction of

PORTLAND.

PORTLAND.

President to designate ports of entry and delivery.

DETROIT.

Goods not prohibited may be imported into these districts in vessels or boats of any burthen, and in rafts and carriages of any kind, which must, however, be reported to the custom-house officer of the district, accompanied with like manifests, and otherwise subject to the same regulations as if imported by sea. When the goods are imported for the purpose of being immediately exported to some place out of the United States. The owner in his entry must specify the route, portage, and carrying-place over which it is intended to transport them. After due search and inspection a certificate or protection for the goods is given by the collector, to remain in force for six months. Any person attempting to defraud the revenue, by breaking

DETROIT: the President of the United States may

NORTH WESTERN STATES and TERRITORY continued—5 Districts.

<i>Names and extent of Districts.</i>	<i>Ports of Entry.</i>	<i>Ports of Delivery.</i>	<i>Remarks and Directions.</i>
the United States, and the rivers and waters connected therewith, to the westward of the Miami to the island of Michilimackinac.		establish two others, with open or unpacking the goods on their passage, defacing the seal, &c. shall forfeit \$500, and be imprisoned not more than six months.	
5th. Michilimackinac: the island of that name, the land adjoining, ceded by the treaty of Greenville; all the waters, shores, and inlets, to the westward and northward of the lakes Michigan and Superior, and the rivers, waters, shores, and lakes, connected therewith, lying within the jurisdiction of the United States, unto the northern and northwestern boundaries thereof.	To be established by the President of the United States, at or near Michilimackinac, and to be the residence of the collector.	Three, besides that of en- a surveyor for each.	

¶ Vide law of March 2d, 1821, relative to the North Western District, this chapter, part 4.

The statutes prescribing and altering the preceding districts are as follows :

March 2, 1799, from section 1st to 19th.	April 25, 1808.	
May 10, 1800, from section 1st to 5th.	March 2, 1811, from section 1st to 5th.	
Feb. 18, 1801, do.	March 2, 1811, do.	1st to 9th.
Feb. 25, 1801.	July 22, 1813.	
March 3, 1801.	April 9, 1814.	
May 1, 1802.	April 26, 1816.	
May 3, 1802.	March 1, 1817.	
March 3, 1803.	March 3, 1817.	
Feb. 24, 1804.	March 9, 1818.	
Jan. 11, 1805.	April 11, 1818.	
March 3, 1805.	April 20, 1818.	
Jan. 22, 1806.	March 2, 1821.	
March 6, 1806.	March 3, 1821.	
April 21, 1806.	March 30, 1822.	
Feb. 13, 1807.	May 7, 1822.	
Dec. 15, 1807.	Another act of same date.	

Part 4th. Regulations for American vessels trading to foreign ports and the importation of merchandise.

American vessels from abroad, to become entitled to be placed on the most favourable footing, must have the captain and all the mates, Americans; and also two-thirds of all other persons making a part of their crew, Americans, "or persons not the subjects of any foreign prince or state." In this latter item, are included the seamen, the cook, the apprentices, the boys, and all other persons, (not including the captain and mates,) doing duty on board. They must also have an American register.

American vessels arriving from abroad, with goods consigned by their manifest, to persons residing in different ports of the United States are to land at the first port, such part of the goods as are consigned to persons at the first port; and may, at their own pleasure, land either the whole, or part, or none of the rest, until they reach the other ports to which they are destined. For whatever portion of the goods they keep on board, they are to give a bond, for the landing of the same, in the United States, and securing the duties thereon.— They also are to clear out, with a certified manifest. Such vessels may take on board any other articles, to be landed in any other port in the United States; for which goods, they must have the manifest of a coaster, and clear out as such.

American vessels, arriving from abroad, may put on their manifest, either the whole or a part of their cargo, as destined for any port of the United States.— Such part as is thus destined, they will not be obliged to land in the United States, nor to secure the duties thereon; but they will have to give bonds for the landing of them abroad, the same as for debenture goods. They may do this, although they have also goods destined for various ports in the United States; but if they go coastwise, they will have to clear out with a certified manifest.— They may also take on board any other articles, to be landed in any other port of the United States. For such goods, they will have to clear out coastwise.— At the port where these vessels ultimately clear out for a foreign port, they may take on board any goods for abroad.

On entering any vessel from abroad, during quarantine time, viz. from May to October, you are required to produce, at the custom-house, a certificate from the board of health.

Previous to entry at the custom house, the captain of an American vessel is required to deposit his letters at the post-office.

Sec. 85. In all cases where a vessel shall be prevented by ice from getting to the place, at which her cargo is intended to be delivered, it shall be lawful for the collector of the district, in which such vessel may be obstructed, to receive the report and entry of such vessel, and with the consent of the naval officer (where there is one) to grant a permit or permits for unlading or landing the merchandise imported in such vessel, at any place within his district, which shall appear to him most convenient and proper; Provided always, that the report and entry of such vessel, and her cargo, or any part thereof, and all persons concerned therein, shall be under the subject of the same rules, regulations, restrictions, penalties, and provisions, as if the said vessel had arrived at the port of her destination, and had there proceeded to the delivery of her cargo.

Sec. 60. If any vessel from any foreign port or place, compelled by distress of weather, or other necessity, shall put into any port of the United States, not being destined for the same, and if the master, together with the mate or person next in command, shall, within twenty-four hours after her arrival, make protest in the usual form upon oath or affirmation, before a notary public or other person duly authorized, or before the collector of the district, where the said ship or vessel shall so arrive, who is hereby empowered to administer the same, setting forth the cause, or circumstance of such distress, or necessity, which protest, if not made before the collector, shall be produced to him, and to the naval officer, (if any there be) and a copy thereof lodged with him or them.

Importation of Goods.

REPORT and manifest of the cargo laden on board of the _____ whereof
is Master, which cargo was taken on board at _____ burthen
tons, built at _____ in the state of _____ and owned by
merchants at _____ as per register
granted at _____ the _____ and bound for _____

<i>Marks.</i>	<i>Numbers inclusive</i>	<i>Packages and Contents.</i>	<i>By whom shipped.</i>	<i>To whom con- signed, or if to order.</i>	<i>Place of Consi- gnee's resi- dence.</i>	<i>Ports of destina- tion.</i>

[If any articles of the outward cargo are brought back, they are to be detailed, specifying by whom shipped outward, and to whom consigned inward.]

Return of passengers, and packages belonging to them respectively.

[Here insert the names of the passengers, and whether cabin or steerage passengers; with the description and number of packages containing their baggage, or the tools or implements of a mechanical trade.]

Vessel and Cabin Stores.

[Here detail what are remaining.]

Manifests.

In a circular of the Treasury Department, dated Sept. 27, 1819, it is stated to be the duty of masters of American vessels, arriving in the United States, from foreign ports, to have their *Manifests made out, at the time of their leaving such ports*; and it is suggested that the time of lading the vessel is the most proper for making out the manifests. It is also stated that the penalty of the law, will be incurred, if the master does not have his manifests ready, to be exhibited, to any officer of the customs, that may board him, within four leagues of the coast. The privilege of making out the manifests, after the arrival of the vessel, within four leagues of the coast, is stated to be totally inadmissible.

If merchandise imported is destined to be delivered in different districts or ports, the said merchandise must be inserted in successive order in the above manifest, and all spirits, wines, and teas, being the whole or any part of the cargo, shall be inserted in like order, distinguishing the port where destined, and the kind, qualities, and quantities thereof; and if merchandise shall be imported by citizens or inhabitants of the United States, in vessels other than of the United States, the manifest shall be of the form, and shall contain the particulars aforesaid, except that the said vessel shall be described in manner following:

REPORT and manifest of the cargo laden on board the	whereof
is Master, burthen	[here insert the nation where built] bound to
which cargo was taken on board at	

24. For all goods not included in the manifest, or imported without a manifest as above described, the master forfeits a sum of money equal to their value, and all merchandise not included in such manifest, belonging or consigned to the master, mate, officers, or crew of such vessel, shall be forfeited, unless it is made to appear to the satisfaction of the collector, naval officer and surveyor, or the major part of them, or to a court on trial, that no part was unshipped, except what is mentioned in the report of the master, or that the manifest has been lost or mislaid, without fraud, or defaced by accident, or incorrect by mistake.

Sec. 25. The master of any vessel or other person having charge thereof, belonging in whole or in part to a citizen or citizens, inhabitant or inhabitants of the United States, and laden with goods as aforesaid on arrival within four leagues of the coast, or within any bays, harbours, ports, rivers, creeks, or inlets thereof, must have a manifest on board, and on demand made by any officer of the customs, first coming on board, must produce such manifest and deliver him a copy thereof, signed by the master or other person having charge of such vessel, and the officer shall certify on the original, the day and year the same was produced; the said copy to be provided and subscribed by the master, or such other person having command; the copy of which to be compared with the original, and certified by such officer on the back thereof, the day and year such copy or copies was or were delivered to him; the original manifest to be delivered afterwards by the master to the collector. He is also obliged to provide another copy for the officer of the customs, who shall first come on board after her arrival, who also certifies on the original and forwards his copy to the collector. If a manifest be produced without a certificate, the master must swear that no officer has applied for, and that no endorsement has been made on the manifest. Provided not more than one copy of each manifest shall be required by any officer or officers who shall first come on board, within four leagues of the coast of the United States, and one other copy to any officer or officers, who shall first come on board within the limits of any district for which the cargo or any part thereof shall be destined. It shall be sufficient to show the original with the endorsements to other officers.

The form of the certificate, shall be as follows, to wit:

(A. B.) certify that the within manifest was this day produced to me as the original manifest of the cargo on board the (insert the denomination and name of the vessel) whereof (insert the name) is master, from (insert the port last from.) In witness whereof I have hereunto signed my name, this day of

And the form of the certificate aforesaid, to be endorsed on the copy of a manifest, shall be as follows, to wit :

I (A. B.) certify that I have examined the within manifest, produced to me this day as a copy of the original manifest of the cargo on board the (insert the denomination and name of the vessel) whereof (insert the name) is master, from (insert the port last from) with the original, and find the same to agree. In witness whereof I have hereunto signed my name, this day of

Sec. 26. The penalty on masters, for not producing manifest, and delivering copy thereof to the proper officer or officers on demand, or for not informing such officer the *true destination* of such vessel, is five hundred dollars for each offence, and the like penalty is incurred by such officer, who shall neglect or refuse to certify such manifest ; and the officer is required to make a return as soon as may be in writing, of the name of the vessel, and master, offending in any, or all of the particulars required, to the collector of the district where such vessel may be bound.

Sec. 27. Any vessel so laden within four leagues of the coast, or within the limits of any district, unloading goods without authority from proper officers, the master and mate forfeit one thousand dollars for each offence, and goods forfeited, except in case of accident, necessity or stress of weather ; which shall be made known, and proved before the collector, by the master, mate, and one other officer or mariner.

Sec. 28. Masters of vessels receiving goods so unladen, and all others aiding and assisting therein (except as before excepted) to forfeit treble the value of such goods ; and the ship, boat, or vessel, receiving them to be forfeited.

Sec. 29. If any vessel having arrived within any district from any foreign place, shall depart or attempt to depart from the same, (unless to some more interior port or by stress of weather) or pursuit of enemies, before report and entry with the collector, the master forfeits 400 dollars, and the collector, naval officer, surveyor, or revenue officer, may cause her to be brought back.

Sec. 30. Any vessel arriving from a foreign port, the master is to report her arrival to the collector, within twenty-four hours after, if the hours of business at the custom-house will permit, and within 48 hours thereafter, further to report the name, burthen, &c. in writing, agreeable to the directions of section 23, and shall make oath or affirmation to the truth of the same, in the words following :

I (A. B.) do solemnly, sincerely, and truly swear, (or affirm) that the report and manifest subscribed with my name, and now delivered by me to the collector of the district of contains, to the best of my knowledge and belief, a just and true account of all the goods, wares, and merchandise, including packages of every kind and nature whatsoever, which were on board the at the time of her sailing from the port of or which have been laden or taken on board at any time since, and that the packages of the said goods are as particularly described as in the bills of lading, signed for the same by me, or with my knowledge ; that I am at present, and have been during the voyage, master of the said vessel ; (or how long) that no package whatsoever, or any goods, wares, or merchandise, have been unladen, landed, taken out, or in any manner whatever removed from on board the said since her departure from the said port of except such as are now particularly specified and declared in the abstract or account herewith, and that the clearance and other papers now delivered by me to the collector, are all that I now have, or have had, that any way relates to the cargo of the said vessel—And I do further swear (or affirm) that the several articles specified in the said manifest, as the sea-stores for the cabin and vessel, are truly such, and were *bono fide* put on board the said for the use of the officers, crew, and passengers thereof, and have none of them been bro't, and are not intended by way of merchandise, or for sale, or for any other purpose, than abovementioned, and are intended to remain on board for the consumption of the said officers and crew ; I further swear (or affirm) that if I shall hereafter discover or know of any other or greater quantity of goods, wares, and merchandise, of any nature or kind whatsoever, than are contained in the report, and manifest subscribed, and now delivered by me, I will immediately, and without delay, make due report thereof, to the collector of the port or district of and I do likewise swear (or affirm) that all matters whatsoever in the said report and manifest expressed, are to the best of my knowledge and belief, just and true : (*The following addition to the oath or affirmation to be inserted*

in cases where the manifest shall not have been certified by some officer of the customs in manner provided. I further swear (or affirm) that no officer of the customs has applied for any inspection of the manifest or the cargo on board the said vessel, and that no certificate or endorsement has been delivered to me on any manifest of such cargo.

So help me God.

(Signed) A. B.

Sworn (or affirmed) before me this }
day of }

Master or other person having command, neglecting to make such reports, or either of them, except that to the surveyor, or the declaration aforesaid, or to take the said oath, or to comply with the true intent of this section, forfeits one thousand dollars.

Sec. 31. Ships of war or packets of any prince or state, not permitted by such prince or state to carry goods in way of trade, are not required to make such reports.

Sec. 32. Masters of vessels after arrival and entry, may proceed to foreign ports from the district where they first arrived, with goods, noted on the manifest at the time of entry for such foreign port, provided such manifest be delivered within 48 hours after her arrival, without paying duties thereon, on giving bond with one or more sureties to the amount of the duties that the said goods shall be actually re-exported in such vessel to a foreign port, unless due entry be made and the duties paid thereon, but bonds are not required when vessels put in, in distress. These bonds must be sued unless legally performed immediately upon the expiration of the time.—Act of Feb. 22, 1805.

And the form of the said bonds shall be as follows, to wit:

Know all men, by these presents, That we (here insert the name of the master of the vessel, and the name or names of the sureties) are held and firmly bound unto the United States of America, in the sum of _____ to be paid to the said United States: for which payment well and truly to be made, we bind ourselves, our heirs, executors, and administrators, jointly and severally, firmly by these presents: Sealed with our seals, dated this _____ day of _____ in the _____ year of the independence of the United States, and in the year of our Lord one thousand _____

Whereas the following described packages of goods, wares, and merchandise, (here insert the marks, numbers, denomination, and number of packages, and contents, as far as may be, and if articles in bulk, the quantity and quality) imported into the district of _____ in the (insert the denomination and name of vessel) whereof (insert name) is master, from (insert port or place where from) on the (insert date of vessel's entry) as per report and manifest then delivered by the said master, are now about to be exported and conveyed in the said (insert denomination and name of vessel) to the port of (insert name of the port intended for) and whereas the duties that would have become due on the said goods, wares, and merchandise, had the same been unladen here and not so exported, would have amounted to the aforesaid sum of _____

Now, therefore, the condition of this obligation is such, That if the above bounden _____ shall and do within _____ months from the date hereof, produce to the collector of this district, the certificates required by law, that the said enumerated (packages of merchandise, or articles in bulk as the case may be,) have been exported to and landed at the aforesaid port of _____ or at any other port or place without the limits of the United States, or if neither the whole, nor any part of the said goods, wares, and merchandise, shall be landed within the limits of the said United States, until due entry thereof shall have been first made, and the duties thereon paid or secured to be paid according to law, then the above obligation to be void, otherwise to be, and remain in full force and virtue.

Sealed and delivered }
in the presence of }

Sec. 33. Masters of vessels having goods on board destined to different districts, other than the district at which he may arrive, should declare the same in their manifests, specifying the goods. They may then proceed from district to district for the purpose of delivering them.

Sec. 34. Before the departure of the vessel, provided it be not within 48 hours, after her arrival, the master shall be furnished by the collector with a copy of his report, and a certificate, showing on what part of the cargo the duties have been paid or secured, and what part remains on board, and give bond for reporting such goods on which the duties have not been paid or secured; which

copy the master is to produce to the collector of the district where bound, together with the certificates of the collectors of other districts where goods have been landed, within 24 hours after his arrival, except in the state of Georgia, where 48 hours are allowed, under penalty of 500 dollars; and the said bond shall be cancelled by producing from the collector of such district, a certificate within six months, of the due entry and delivery of such merchandise in such district or districts, or upon due proof that such entry and delivery were unavoidably prevented, and that if the goods have not been lost, that they have been duly entered.

The form of the certificate first mentioned shall be as follows:

District of
Port of

These are to certify that the within is a true copy of the report and manifest of the cargo of the (insert the denomination and name of the vessel) whereof (insert the name) is master from (insert the port wherefrom) entered at this port the (insert the day and month of entry) as exhibited on (oath or affirmation) by the said master: That no part of the said cargo as expressed in such manifest, hath been unladen or landed at this port: (or as the case may require.) That there hath been unladen and landed at this port, and the duties paid or secured to be paid on the following articles, (or) That all the said cargo as expressed in the said manifest hath been duly entered and landed in this district according to law, except the following articles (here enumerate the marks, numbers, packages, and contents, or if articles in bulk, the quantities, whether landed or remaining on board, as the case may require) and that bond hath been entered as the law directs for the delivery of the (insert the whole or remaining part, as the case may require) of the said cargo, at the (insert the port and district of destination.)

Witness our hands and seals, this

day of

A. B. Collector.

C. D. N. Offi.

And the form of the said bond shall be as follows, to wit:

Know all men by these presents, that we (here insert the name of the master of the vessel, and the name or names of the sureties) are held and firmly bound unto the United States of America, in the sum of to be paid to the said United States; for which payment well and truly to be made, we bind ourselves, our heirs, executors, and administrators, jointly and severally, firmly by these presents: Sealed with our seals; dated this day of in the year of the independence of the said United States; and in the year of our Lord one thousand

Whereas the following goods, wares, and merchandise (here insert the marks, number, denomination, and number of packages and contents, as far as may be, or if articles in bulk, the quantity and quality) imported into the district of in the (insert the denomination and name of vessel) whereof (insert name) is master, from (insert name of, port, &c.) on the (insert date of vessel's entry) as per report and manifest then delivered by the said master; are now intended to be exported and conveyed in the said (insert the denomination and name of the vessel) to the district of (insert the district or districts where intended to be sent) and whereas the duties that would have become due on the said goods, wares, and merchandise, had the same been unladen would have amounted to the aforesaid sum of

Now therefore the condition of this obligation is such, that if the above bounden shall and do within six months from the date hereof, produce to the collector of this district the certificates required by law, that the said enumerated (packages of merchandise, or articles in bulk as the case may be,) have been duly entered and delivered at the aforesaid district of or any other port or district of the United States, then the above obligation to be void, otherwise to be and remain in full force and virtue.

Sailed and delivered }
in the presence of }

Form of the second Certificate.

District of
Port of

These are to certify, that there have been unladen and landed at this port, from on board the (insert the denomination and name of the vessel, whereof (insert the name) is master from (insert district and port where from) the following packages of merchandise (here detail the several packages with their respective denominations, their marks and numbers, and if any articles in bulk, the quantities delivered) for which the duties have been (paid or secured) at the aforesaid port of (insert the port.) Witness our hands and seals this day of

A. B. Collector.

C. D. N. Officer.

Sec. 35. In addition to the foregoing section, the master is to apply to the surveyor or inspector of the port for a copy of a report, similar to the report of the collector, with which he is to comply as above, (relating to distilled spirits, wines, or teas, when there are any on board, to be delivered in different districts) the want of which subjects such articles to forfeiture, and five hundred dollars penalty on the master, and each surveyor shall certify what quantity have been delivered from his respective district.

And the form of the said certificate shall be as follows :

District of
Office of Inspection for the
Port of

I certify that the within is a true copy of the report made to me of distilled spirits, wines, and teas, imported in the (insert the name and denomination of the vessel) built in (here insert where built in the United States, or to what foreign nation belonging) burthen (here insert the tonnage of the vessel) whereof (here insert the name of the master) from (here insert the foreign port from which the vessel last sailed) bound to (here insert the port or ports to which destined in the United States.) That no part of the said spirits, wines, or teas, hath been unladen or landed at this port (or as the case may require.) That there have been landed at this port in pursuance of permits for that purpose, the following quantities, to wit ; (here insert the marks, number, description of packages, casks, chests, kinds and quantities of all spirits, wines and teas landed at the port of inspection, agreeably to the form prescribed for the report) and no other or greater quantities than are above expressed, (or) That all the said spirits, wines, and teas, have been duly landed in this district, except the following, the duties whereof are to be paid or secured to be paid in the district of (insert the district of destination and enumerate the marks, numbers, description of casks, chests, or other packages, kinds, and quantities of all spirits, wines, and teas, which remain on board.)

Witness my hand the day and year aforesaid,
A. B. Inspector of the revenue
for the Port of

And each and every surveyor, or officer acting as inspector of the revenue, for any port at which a ship or vessel may arrive with a certificate as aforesaid, shall certify in manner aforesaid all deliveries of spirits, wines, or teas, made at their respective ports, which certificate shall be annexed to the certificate granted at the port of original importation.

Sec. 45. The master of any vessel shall particularly specify in the report or manifest the sea stores of such vessel ; and in the oath to be taken by such master, on making such report, he shall declare that the articles so specified as sea stores are truly such, and are not intended by way of merchandise or for sale ; whereupon the said articles shall be free from duty. Provided always, That if it shall appear to the collector to whom such report and manifest shall be made and delivered, together with the naval officer where there is one, or alone, where there is none, that the quantities of the said articles, or of any part thereof, so reported as sea stores, are excessive, it shall be lawful for them or him, in his or their discretion, to estimate the amount of the duty on such excess, which shall be forthwith paid to the said collector, on pain of forfeiting the value of such excess ; And if any other or greater quantity of articles are found on board as sea stores than are specified in such entry, or if any of the said articles shall be landed without a permit first obtained from the collector and naval officer of the port (where any) for that purpose, all such articles shall be forfeited, and may be seized ; and the master of such vessel shall moreover forfeit and pay treble the amount or value of the articles so omitted or landed.

Sec. 92. Except into the districts herein before described on the northern, northwestern, and western boundaries of the United States, adjoining to the dominions of Great Britain, in Upper and Lower Canada, and the districts on the rivers Ohio and Mississippi, no merchandise of foreign growth or manufacture, subject to the payment of duties, shall be brought into the United States from any foreign port or place in any other manner than by sea, nor in any vessel of less than thirty tons burthen, agreeably to the admeasurement hereby directed for ascertaining the tonnage of vessels ; nor shall be landed or unladen at any other port than is directed by this act, under the penalty of seizure and forfeiture of all such vessels, and of the merchandise imported

therein, landed or unladen in any other manner. And no drawback of any duties on goods, wares, or merchandise, of foreign growth or manufacture, shall be allowed on the exportation thereof from any district of the United States, otherwise than by the sea, and in vessels not less than thirty tons burthen.

Sec. 94. The importer or importers of any horses, cattle, sheep, swine, or other useful beasts, imported into the United States for the purpose of breed, shall make entry for such horses, cattle, sheep, swine, or other useful beasts, as in the case of other merchandise, and obtain a permit for landing the same, and shall likewise make oath or affirmation, that they are actually imported for the purpose above mentioned; and any horses, cattle, sheep, swine, or other beasts, landed without the provisions above mentioned being fully complied with, shall be subject to seizure and forfeiture.

Sec. 103. No beer, ale, or porter, shall be brought into the United States by sea from any foreign port, or place, except in casks, or vessels, the capacity whereof shall not be less than forty gallons, beer measure, or in packages containing not less than six dozen bottles, on pain of forfeiture of the said beer, ale, or porter, and the vessel in which the same shall be brought; nor shall any refined lump or loaf sugar be imported into the United States, from any foreign port or place by sea, except in vessels of one hundred and twenty tons burthen and upwards, and in casks or packages containing each not less than six hundred pounds weight; nor shall any distilled spirits (arrack and sweet cordials excepted) be imported, or brought into the United States, except in casks or vessels of the capacity of ninety gallons wine measure and upwards, nor in casks or vessels which have been marked pursuant to any law of the United States, on pain or forfeiture of the said refined lump and loaf sugar, and distilled spirits, imported contrary to the provisions herein described, together with the vessel; Provided that nothing contained in this act shall be construed to forfeit any spirits for being imported, or brought into the United States, in other casks or vessels as aforesaid, or the vessel in which they shall be brought, if such spirits shall be for the use of the seamen on board, and shall not exceed the quantity of four gallons for each seaman.

Sec. 85. In all cases where a vessel shall be prevented by ice from getting to the place, at which her cargo is intended to be delivered, it shall be lawful for the collector of the district, in which such vessel may be obstructed, to receive the report and entry of such vessel, and with the consent of the naval officer (where there is one) to grant a permit or permits for unloading or landing the merchandise imported in such vessel, at any place within his district, which shall appear to him most convenient and proper; Provided always, that the report and entry of such vessel, and her cargo, or any part thereof, and all persons concerned therein, shall be under the subject of the same rules, regulations, restrictions, penalties, and provisions, as if the said vessel had arrived at the port of her destination, and had there proceeded to the delivery of her cargo.

Sec. 105. No duty shall be levied or collected on the importation of peltries brought into the territories of the United States, nor on the proper goods and effects of whatever nature, of Indians passing, or re-passing the boundary line aforesaid, unless the same be goods in bales or other large packages unusual among Indians, which shall not be considered as goods belonging bona fide to Indians, nor be entitled to the exemption from duty aforesaid. And no higher or other tolls or rates of ferriage, than what are or shall be payable by citizens of the United States, shall be demanded of British subjects, and no duties shall be payable on any goods, which shall merely be carried over any of the portages or carrying places within the territories of the United States, for the purpose of being immediately rebarked, and carried to some other place or places; Provided, that this last mentioned exemption from duty shall extend only to such goods as are carried in the usual and direct road across such portages and carrying places, and are not attempted to be in any manner sold or exchanged during their passage across the same.—And it shall be lawful for citizens of the United States, and for all other persons, to import any goods or merchandise, of which the importation shall not be entirely prohibited, into the districts, which are or may be established on the northern and north-western boundaries of the United States, and on the rivers Ohio and Mississippi, in vessels or boats of any burthen, and in rafts or carriages of any kind or nature whatsoever. .

Sec. 117. No duty shall be demanded or collected on the importation of old copper ; which term shall apply only to such copper manufactures as have been worn out or otherwise so damaged as to be unfit for any other purpose than that of supplying a raw material, to be manufactured anew. And it shall be lawful for the collector of the port or district in which such old copper shall arrive, should any doubt arise whether such importation comes within the intent and meaning of this act, to appoint one person, and the owner, importer, or consignee, to appoint another, who shall ascertain whether the copper imported comes under the denomination of old copper, as above described ; and the proceedings in this instance shall be conducted in the like manner and form as the proceedings are directed to be had by the fifty-second section of the act passed the second of March, one thousand seven hundred and ninety-nine, regulating the collection of duties on imports and tonnage, in cases of incomplete entry or of damage sustained by goods, wares, and merchandise during the voyage.

An act further to regulate the entry of merchandise imported into the United States from any adjacent territory.

Sec. 1. It shall be the duty of the master of any vessel, except registered vessels, and of every person having charge of any boat, canoe, or raft, and of the conductor or driver of any carriage or sleigh, and of every other person coming from any foreign territory adjacent to the United States into the United States, with merchandise subject to duty, to deliver, immediately on his or her arrival within the United States, a manifest of the cargo or loading of such vessel, boat, canoe, raft, carriage, or sleigh, or of the merchandise so brought from such foreign territory, at the office of any collector or deputy collector which shall be nearest to the boundary line, or nearest to the road or waters by which such merchandise is brought ; and every such manifest shall be verified by the oath of such person delivering the same ; which oath shall be taken before such collector or deputy collector ; and such oath shall state that such manifest contains a full, just, and true, account of the kinds, quantities, and values, of all the merchandise so brought from such foreign territory ; and, if the master, or other person having charge of such vessel, boat, canoe, or raft, or the conductor or driver of such carriage or sleigh, or other person, bringing merchandise as aforesaid, shall neglect or refuse to deliver the manifest herein required, or pass by, or avoid, such office, the merchandise subject to duty, and so imported, shall be forfeited to the United States, together with the vessel, boat, canoe, or raft, the tackle, apparel, and furniture, of the same, or the carriage or sleigh, and harness and cattle, drawing the same, or the horses, with their saddles and bridles, as the case may be ; and such master, conductor, or other importer, shall be subjected to pay a penalty of four hundred dollars.

Sec. 2. Any deputy collector, stationed in any district of the customs contiguous to a foreign territory, to whom a manifest of merchandise, subject to duty, shall be delivered as aforesaid, is hereby authorized to require of the importer of such merchandise the payment of the duties thereon, or good and ample security, either by bond, with one or more sufficient sureties, for the payment thereof, or by the deposit of a portion of such merchandise, equal, at least, to double the amount of the duties on the whole importation ; which bond shall be cancelled, or the merchandise, so deposited, shall be delivered to the owner, on the producing to the deputy collector a certificate, of the collector of the district, that the duties have been duly paid.

Sec. 3. All penalties and forfeitures incurred by force of this act, shall be sued for, recovered, distributed, and accounted for, in the manner prescribed by the Act, entitled "An Act to regulate the collection of duties on imports and tonnage," passed on the second day of March, one thousand seven hundred and ninety-nine, and may be mitigated or remitted in the manner prescribed by the Act, entitled "An Act to provide for the mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned," passed on the third day of March, one thousand seven hundred and ninety-seven. Act passed 2d March, 1821.

Persons residing out of the United States, and interested in any shipment made to the United States, of goods paying a duty ad valorem, or of so much per cent. must have their invoices authenticated, before a consul or vice consul of the United States ; and in case there is none in the country in which they

reside, the invoices must be authenticated before some magistrate of that country.—Act of April 20th, 1818.

Such magistrate should certify that there is no American consul in the country where he resides. His seal should be affixed, and his official character be certified by a consul of some nation, at the time in amity with the United States, if any such there are in that country—and if there are none such, the fact of there not being any, should be stated by the magistrate, administering the oath, in his certificate.

In Great Britain, the oath is to be taken before a magistrate of the country, in presence of the American consul, or some person authorized by such consul.

If there is no American consul and no magistrate in the country where the owner resides, no sufficient certificate can be procured. A document, from two merchants of that country, would answer no purpose. In such a case, the importation must be, for account of some person who will be in the United States when the goods are imported there; or it will be subjected to the penalty of the law, viz. to pay 50 per cent. additional duty, viz. 22½ per cent. for the articles rated in the tariff at 15 per cent.

It has been decided that, on a purchase made in the interior of a country, the purchaser (if he is owner, or part owner, and does not reside in the United States) is bound to get his invoice authenticated by an American consul or vice consul, even although there were none nearer to his place of purchase than the seaboard. The law permits an authentication, before a magistrate of the country in which the purchase is made, only when there is no American consul or vice consul in any part of that country. But to accommodate merchants, American consuls abroad have appointed vice consuls, in every place of any note, for purchases.

Persons who make purchases abroad must have their invoices authenticated, as above named, even although they have partners residing in the United States interested in these purchases.

Invoices of ad valorem goods, when owned, in whole or in part, by persons residing out of the United States, must be authenticated, agreeably to the following mode:—

According to the construction given to the words "country, state or empire," in the law, "England" is called one country, "Ireland" another, and "Scotland" another; also, any island, which does not belong to a cluster of islands, depending from a single consulate, may be taken, by itself, as "a country;" and each cluster of islands, belonging to the same power, may be taken as a "country."

} to wit.

I, A. B., of _____, merchant, solemnly, sincerely, and truly swear, that I and my partners, doing business at _____, under the firm of A. B. & Co., are the true and lawful owners of certain goods, wares, and merchandise, as specified in the invoice by us subscribed with the proper signature of the firm, and here produced to _____, the consul of the United States of America, and intended to be shipped at _____, by _____, for the port of _____ in the United States of America: that the sum of two thousand three hundred and ninety pounds fifteen shillings and four pence, British sterling, exhibited in the said invoice, is the true value of the said goods, wares, and merchandise, in their actual state of manufacture at _____; that we, the said owners, are not the manufacturers in whole or in part of such goods, wares, and merchandise, as aforesaid; and that we are not directly or indirectly concerned in the profits of any art or trade, by which they have been brought to their present state of manufacture.

[SEAL.]

Sworn before me, at _____, the _____ day of _____, 1822.
C. D.
the consul, &c.

A. B.

In presence of

N. B. This certificate is to be annexed to the invoice.

In case the owner, taking the oath, is a manufacturer, the following addition is to be made to his oath, viz.—

"And that the prices charged in the aforesaid invoice are the current value of the

same, at the place of manufacture, and such as I, or we would have received if the same had there been sold in the usual course of trade."

NOTE 1. "I," or "I and my partners," or "I and the names of the other owners," as the case may be.

2. The name of the American consul, or of the magistrate, as the case may be; and if the latter, his title.

3. "Intended to be" or "actually," as the case may be.

4. Port of shipment.

5. Name of the person or firm by whom shipped.

6. Port of destination.

7. Amount of invoice written at full length, and not in figures simply.

8. Place where purchased.

Part 5th. Regulations in Entering Goods.

No one is allowed to enter goods or secure the duties on them, as principal in the bonds, unless he is the owner or consignee, at the time the vessel enters the port to which she is bound, or unless he is the agent or factor of the owner or consignee, and lodge with the collector a power of attorney, from the owner or consignee, authorizing him to enter the goods and to execute the bonds for the duties. A transfer, made while the goods are at sea, will be admitted at the custom-house, to prove the change of property, but not if made after the vessel has entered the port of destination.

The form of the general Power of Attorney.

[N. B. When you authorize a person to sign custom-house bonds, for goods that are not consigned to you, or for business in which you are not interested; there should be an addition to that effect, in your power of attorney.]

Know all men by these presents, that I, _____, of _____, in the state of _____, have made, constituted, and appointed, and by these presents do make, constitute and appoint _____, of _____, in the state of _____, my true and lawful attorney to receive and enter at the custom-house of the district of _____, any goods, wares, and merchandise, imported by me, or by the firm or firms of _____, of _____, of which I am a partner, or which may arrive consigned to me, or to the said firm or firms; to sign my name to, seal and deliver, for me and as my act and deed, any bond or bonds which may be required by the collector of the said district, for securing the duties on any such goods, wares, and merchandise: also, to sign my name to, seal and deliver, for me and as my act and deed, any bond or bonds requisite for obtaining the debenture on any goods, wares, and merchandise, to be exported by me. And generally to transact all business at the custom-house, in which I am or may be interested or concerned, as fully as I could if personally present. And I hereby declare that all bonds signed and executed by my said attorney shall be as obligatory on me as though signed by myself. And this my power shall remain in full force until revoked by written notice given to the said collector.

In witness whereof, I have hereunto set my hand and seal, this _____ day of _____, A. D. _____ [SEAL.]

Signed, sealed, and delivered, }
in presence of

[Signed by two witnesses.]

Special Power of Attorney, to enter goods by one or more vessels.

Know all men by these presents, that I, _____, of _____, in the state of _____, have made, constituted, and appointed, and by these presents do make, constitute, and appoint _____, of _____, in the state of _____, my true and lawful attorney, to receive and enter at the custom-house of the district of _____, any goods, wares, and merchandise, imported by me, or by the firm or firms of _____, of _____, of which I am a partner, or which may arrive consigned to me, or to the said firm or firms, in the [here name the vessel or vessels, and the captain or captains] to sign my name to, seal and deliver, for me and as my act and deed, any bond or bonds which may be required by the collector of said district, for securing the duties on any such goods, wares, or merchandise: also, to sign my name to, seal and deliver, for me and as my act and deed, any bond or bonds requisite for obtaining the debenture on any such goods, wares, or merchandise, when exported for me, or in my name; and generally to transact all business

at the custom-house in reference to this importation or importations, as fully as I could if personally present. And I hereby declare, that all bonds signed and executed by my said attorney shall be as obligatory on me as though signed by myself.

In witness whereof, I have hereunto set my hand and seal, this day of 182
Signed, sealed, and delivered, } [SEAL.]
in presence of }

Notarial Certificate for both the general power and the special power.

UNITED STATES OF AMERICA.

State of

} ss.

On this day of , in the year of our Lord one thousand eight hundred and , before me, , notary public, by legal authority admitted and sworn, and dwelling in aforesaid, personally appeared , and acknowledged the within letter of attorney to be his free act and deed.

In testimony whereof, I have hereunto set my hand, and affixed my notarial [SEAL.] seal, the day and year above written.

, Notary public.

Attorneys duly authorized by their powers, as above, will be allowed, by the collector, to take the oaths prescribed by law for their principals.

In case the owner or consignee is not at the port where the importation is made, he is to make an entry in the common form and to swear to it, before the collector of the customs, at the port where he happens to be. In this entry, he is to swear who is the owner of the goods.

These remarks apply as well to goods paying a specific duty as to those paying an ad valorem duty. As to goods paying a specific duty, the oath which declares their true value, such as it is contained in the entry above named, will be sufficient.

When all the owners reside in the United States, an entry made and sworn to as above named, by one of the owners, in the common form, before the collector of the port, at which the importation is made, will answer both for the oath to the invoice and for the oath to the entry; and not only for goods paying a specific duty, but also for goods paying an ad valorem duty.

In case of goods paying an ad valorem duty, if the owner is not at the port of importation, and if the invoice has not been authenticated by an owner residing abroad as hereafter named, the owner must swear before a notary, that the invoice annexed exhibits the true value of the goods, in their actual state of manufacture at the place of exportation.

For goods paying a specific duty, as well as for those paying an ad valorem duty, it is necessary to have an entry sworn to before a collector of the customs, by the person who (whether the goods are consigned to order or not) is bona fide, either the owner or the consignee, at the time the vessel enters the port.

You must, for ad valorem goods, have the invoice authenticated, in the manner prescribed by law. Somebody, whom the law supposes to know, and who is one of the owners, must swear, that the invoice exhibits the true value of the goods at the place of exportation in their actual state of manufacture. If any of the owners reside abroad, nothing will do short of the formalities hereafter named. If all the owners reside in the United States, the oath of one of the owners to his own entry, taken before the collector, at the port of importation, will answer all the purposes; but if none of the owners can take the oath at the port of importation, then some one of them is to take such oath before a notary in the manner above named.

Importers or Consignees.

Sec. 36. Owners or consignees of goods imported, or in case of their absence or sickness their agents are, within fifteen days after the masters report, to make entry with the collector, specifying the name of the vessel and master, the port of exportation, detailing the several contents and net cost and marks of each package particularly; and produce the original invoice, docu-

Custom-House Regulations

ments and bills of lading; which must be verified on oath or affirmation, by the said parties, who must subscribe the *form of entry or oath* as follows:

(When imported in an American vessel.)

Entry of Merchandise, imported by
from

in the
New-York.

master,

Marks.	Numbers.	Packages and Contents.	Quantity per invoice of articles subject to specific duties.	Value of articles subject to specific duties.	Value subject to 7½ per cent. ad valorem.	Value subject to 15 per cent.	Value subject to 30 per cent.	Value subject to 25 per cent.	Value subject to 30 per cent.	Amount of free goods.	Charges not subject to duty.	Total amount per invoice.

(When imported in a foreign vessel.)

Entry of Merchandise, imported by
from

in the
New-York.

master,

Marks.	Numbers.	Packages and Contents.	Quantity per invoice of articles subject to specific duties.	Value of articles subject to specific duties.	Value subject to 8½ per cent. ad valorem.	Value subject to 16½ per cent.	Value subject to 22 per cent.	Value subject to 27½ per cent.	Value subject to 33 per cent.	Amount of free goods.	Charges not subject to duty.	Total amount per invoice.

RECAPITULATION.

Bales
Cases
Boxes
Trunks
Bundles
Trusses
Packs
Chests
Crates
Hds.

Hampers
Punch's.
Pipes
Casks
Bags
Barrels
Kegs
Quintals
Frails.

The articles to be inserted in the entry in the following order.

Cases	Punch's	No. 1.	No. 2.	No. 3.
Boxes	Pipes	Copper, Brass, and	Bullion.	Gold and silver coin.
Trunks	Casks	Tin, in pigs or bars.	FREE.	FREE.
Bundles	Bags	FREE.	FREE.	FREE.
Trusses	Barrels	No. 4.	No. 5.	No. 6.
Packs	Kegs	Dry Woods.	Raw Hides.	Brimstone and Sulphur.
Chests	Quintals	FREE.	FREE.	FREE.
Crates	Frails.			
Hhds.				
No. 7.	No. 8.	No. 9.	No. 10.	
Furs undressed.	Plaster of Paris.	Burr Stones unwrought.	All other free articles.	
FREE.	FREE.	FREE.	FREE.	

No. 11. Cloths and Cassi- meres. 25 per cent. ad val.	No. 12. Worsted and Stuff Goods. 15 per cent. ad val.	No. 13. Blankets and Rugs. 15 per cent. ad val.	No. 14. Printed and coloured Cottons. 25 per cent. ad val.
No. 15. White Cottons. 25 per cent. ad val.	No. 16. Nankins. 25 per cent. ad val.	No. 17. Woollen and Cotton Hose. 20 per cent. ad val.	No. 18. Cotton Twist, Yarn and Thread. 25 per cent. ad val.
No. 19. Linen bleached and unbleached. 15 per cent. ad val.	No. 20. Silk Goods. 15 per cent. ad val.	No. 21. Hempen Goods. 20 per cent. ad val.	No. 22. Brass. 20 per cent. ad val.
No. 23. Copper, or of which copper is the ma- terial of chief va- lue. 25 per cent. ad val.	No. 24. Iron and Steel other than those paying specific rates of duty. 20 per cent. ad val.	No. 25. Glass Ware, other than that paying a specific rate of du- ty. Cut 30, uncut 20 per cent. ad valorem.	No. 26. China Ware. 20 per cent. ad val.
No. 27. Earthen and Stone Ware. 20 per cent. ad val.	No. 28. Tin and Pewter. 20 per cent. ad val.	No. 29. Paper, Writing and Wrapping. 30 per cent. ad val.	No. 30. Gold, Silver, and precious Stones. 75 per cent. ad val.
No. 31. Hats, Caps, and Bonnets. 30 per cent. ad val.	No. 32. Copper subject to a duty of 15 per cent. 15 per cent. ad val.	No. 33. Tin in sheets or plates. 15 per cent. ad val.	No. 34. All other articles paying ad val. duty. No. 35. Pay'g a specific duty.

*The Oath or Affirmation in either case.**District of**Port of*

I, _____, do solemnly, sincerely, and truly _____ that the entry now subscribed with my name, and delivered by me to the collector of _____, contains a just and true account of all the goods, wares, and merchandise, imported for sale, or intended to be landed in this district for me, or on my account, or on account of any house of trade or partnership in which I am concerned in this district, or which actually came consigned to me, or to any house of trade or partnership in which I am concerned, and intended for sale, or intended to be landed in this district, in the _____, whereof _____ is master, from _____, that the said entry contains a just and true account in _____ of the cost thereof, including all charges; that the invoice and bill of lading now produced by me are the true, genuine, and only invoice and bill of lading by me received of the said goods, wares, and merchandise, imported or consigned as aforesaid, and the only invoice by which I have been charged, or for which I am to account; and that the said invoice and bill of lading are in the actual state in which they were received by me, and that I do not know of any other invoices, or account of the said goods, wares, and merchandise, different from what is or are here produced. I do further _____ that if I hereafter discover any other or greater quantity of goods, wares, or merchandise, than is contained in the entry aforesaid, or shall receive any invoice of the whole, or any part thereof, other in quantity, quality, and price, than has now been exhibited, I will immediately and without delay report the same to the collector of this district. I also _____ that nothing has been concealed or suppressed in the entry aforesaid, whereby to avoid the just payment of the duties imposed by the laws of the United States, and that all matters are justly and truly expressed therein, according to my best knowledge and belief. And I do farther solemnly, sincerely, and truly _____ that _____ the owner of the goods, wares, and merchandise, mentioned in the annexed entry: that the invoice of the said goods, wares, and merchandise, now produced by me, exhibits the true value of the same, in their actual state of manufacture, at _____ the place from which the same were imported. And that the discounts claimed on the said goods, wares, and merchandise, have been actually and bona fide allowed to _____ in the payment made for the same,

to this
Before me,

When the above entry is made by any agent, factor, or other person, other than the bona fide owner or consignee of such merchandise, such person to give bond in the sum of 1000 dollars, over and above what the duties may amount to, with condition, that the bona fide owner or consignee of such merchandise shall, on or before the first payment of such duty become due, deliver to said collector a full and correct account of said merchandise, in manner and form aforesaid; verified by a like oath or affirmation, before any judge of the United States, or the judge of any court of record of a state, or before a collector of the customs: and in case the duties are paid at the time of entry, a like bond to be given, that such an account shall be delivered, within ninety days from such entry.

And the form of the said bond shall be as follows, to wit:

Know all men by these presents, that we (here insert the names of the principal surety or sureties) are held and firmly bound unto the United States of America, in the sum of one thousand dollars, which well and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly and severally, by these presents.

Witness, our hands and seals this day of , one thousand eight hundred and twenty-

Whereas, the above bounden has this day duly entered at the custom-house of and (paid or secured to be paid, as the case may be) the duties on sundry goods, wares, and merchandise, imported in the (insert the denomination and name of the vessel) whereof (insert name) is master, from (insert port or place where from) as particularly enumerated in the entry thereof made and subscribed by the said , in behalf of (insert the name or names of the person or persons actual owners or consignees) bearing equal date herewith.

The condition of this obligation therefore is such, that if the said bounden shall, on or before the , deliver or cause to be delivered to the collector of the customs for the district of (insert name of the district where the bond is taken) a full and correct account from the said (insert name of the actual owner or consignee) of the aforesaid merchandise imported by him on his own account, or consigned to his care, verified by the oath of the said , being the proper owner or consignee, in manner and form as would be required if he were personally present, taken before any judge of the United States, or of a court of record of a state, or before the collector of any other district, then this obligation shall be null and void, otherwise it shall be and remain in full force and virtue.

*Sealed and delivered }
in the presence of }*

When the particulars of such merchandise are not known, an entry thereof to be made according to circumstances; declaring on oath or affirmation, all the particulars the party knows or believes concerning the same, to be subscribed by the party: and where an imperfect entry is made, either for want of invoices, bills of lading, &c. the collector to take such merchandise into his custody, until the quantity, quality, or value can be ascertained.—Vide acts of 20th April, 1818, and of 10th Feb. 1820.

Sec. 46: The wearing apparel, and other personal baggage, and the tools or implements of a mechanical trade only, of persons who arrive in the United States, shall be free and exempted from duty; and to ascertain what articles ought to be exempted, it is directed, that due entry thereof, as of other merchandise, but separate and distinct from that of any other merchandise, imported from a foreign port or place, shall be made with the collector of the district in which the said articles are intended to be landed, by the owner or owners thereof, or his, her, or their agent, expressing the persons by whom or for whom such entry is made, and particularizing the several packages, and their contents, with their marks and numbers; and the person or persons who shall make the entry, shall take and subscribe an oath or affirmation before the said collector, as the case may require, in manner following, to wit:

District of ss.
Port of Person making the entry

I (here insert the name of the person making the entry) do solemnly, sincerely, and truly swear (or affirm) that the entry subscribed by me and hereto annexed, contains, to the best of my knowledge and belief, a just and true account of the contents of the several (here insert whether chests, cases, or packages) mentioned in the said entry, imported in the (here insert the name of the vessel, and master's name) from (here insert

the port from which arrived) and that they contain no goods, wares, or merchandise, whatever, other than the wearing apparel and other personal baggage (or if the case require) and the tools of the trade of (here insert what mechanical trade) all of which are the property of (here insert to whom belonging, and family, as the case may require) who has or have arrived (or as the case may require) who is or are shortly expected to arrive in the United States; and are not directly or indirectly imported for any other person or persons, or intended for sale.

So help me God.

And in case the party shall be other than the owner of the said articles, he or she shall give bond, with one or more sureties to the satisfaction of the said collector, in a sum equal to what would be the amount of the duties on the said articles, if imported subject to duty; the form of which bond shall be as follows:

Know all men by these presents, that we (here insert the names of the principal and sureties) are held and firmly bound unto the United States of America, in the sum of _____ to be paid to the said United States; for payment whereof we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents, sealed with our seals. Dated the _____ day of _____ in the _____ year of the independence of the United States, and in the year of our Lord one thousand _____

Whereas the above named _____ has this day, for and in behalf of _____ exhibited an entry, subscribed with his name, of the following packages of wearing apparel and other articles, as being exempted from duty (here insert the number and description of packages, together with their marks and numbers) and has made oath before the collector of the district of _____ that the said articles are the property of the said _____ that they are truly and bona fide intended for the sole use of himself and (family, as the case may require) and are not directly or indirectly imported for any other person, or intended for sale:

Now therefore the condition of this obligation is such, that if the said _____ shall, within one year from the date hereof, take and subscribe the oath prescribed by law in such case, before the said collector, or if the said oath, duly authenticated, shall be produced to the said collector agreeably to the true intent and meaning of the said law; then this obligation to be void, or else to remain and be in full force and virtue.

Sealed and delivered }
in the presence of }

And on compliance with the conditions aforesaid, and not otherwise, a permit shall and may be granted for landing the said articles: *Provided nevertheless*, That whenever the collector and naval officer (if any) shall think proper so to do, they may direct the baggage of any person arriving within the United States, to be examined; and if any articles shall be contained therein, which in their opinion ought not to be exempted from duty, according to the true intent and meaning of this act, due entry shall be made therefor, and the duties thereon paid or secured to be paid: And the goods are subject to forfeiture in case articles, subject to duty and not entered, are found therein, and the person in whose baggage they shall be found, shall moreover forfeit treble the value of such articles.

Sec. 47. On merchandise, of the growth or manufacture of the United States, which may have been exported to some foreign port or place and brought back to the said states, and upon which no drawback, bounty, or allowance has been paid, no duty shall be demanded. *Provided*, That the regulations herein after prescribed, for ascertaining the identity of such goods, wares, or merchandise, be observed and complied with.

Sec. 48. Report and entry of merchandise, returned as aforesaid, shall be made as in other cases of merchandise imported from a foreign place; and proof, by oath or affirmation of the person or persons having knowledge of the facts, shall be made to the satisfaction of the collector of the district with whom such entry shall be made, jointly with the naval officer, or alone, if there be no naval officer, that the said articles had been exported from the United States, as of the growth, produce, or manufacture of the same, and of the time when, by whom, in what ship or vessel, and for what port or place they were so exported; the form of which oath or affirmation shall be as follows:

District of
Port of

ss.

I, A. B. do solemnly, sincerely, and truly swear, (or affirm, as the case may be) that the several articles of merchandise, mentioned in the entry hereunto annexed, are to the best of my knowledge and belief, truly and bona fide of the growth, product, or manufacture of the United States (as the case may be) and that they were truly exported and imported as therein expressed, and that no drawback, bounty, or allowance has been paid or admitted thereon, or any part thereof. So help me God.

Sworn to,

A. B.

And if the collector, who may receive the entry aforesaid, shall be other than the collector of the district from which the said articles shall have been exported, a certificate of the latter shall be produced to the former, testifying the exportation thereof; the form of which shall be as follows:

District of
Port of

This is to certify that there were cleared out at this port on the (insert the day of clearance) in the (insert the denomination and name of the vessel) whereof (insert the name) was master, for (insert the port or place for which cleared) the following articles of merchandise (here numerate the number of packages, their denominations, marks, and numbers, together with their contents) on which no drawback, allowance, or bounty hath been paid or admitted.

A. B. Collector,
C. D. Naval Officer.

Whereupon a permit shall and may be granted for landing the same. Provided, That if the said certificate cannot be immediately produced, and if the proof otherwise required shall be made, a bond shall and may be given in the following form, with one or more sureties, to the satisfaction of the collector of the district, within which the said articles are intended to be landed, in a sum equal to what the duties would be on the said articles, if they were not of the growth, product, or manufacture of the United States:

Know all men by these presents, that we (insert the name of the principal and sureties) are held and firmly bound unto the United States of America, in the sum of to be paid to the said United States, for which payment well and truly to be made, we bind ourselves, our heirs, executors, and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this day of in the year of the independence of the United States, and in the year of our Lord one thousand seven hundred and ninety

Whereas has this day made entry at the custom-house of the port of of the following articles, viz. (here particularize the packages, marks, numbers, and contents) as per entry by him subscribed, and hath likewise sworn (or affirmed) before the collector of the said port, that the said articles are of the growth, product or manufacture of the United States, and that they were exported from the district of in the whereof was master, on or about the and whereas the duties on the aforesaid articles, if of foreign growth or importation, would amount to the aforesaid sum of

The condition therefore of this obligation is such, that if the above bounden do, within six months from the date hereof, produce, or cause to be produced, to the collector of the district of a certificate under the hand and seal of the collector (and naval officer if any) of the aforesaid port of of the said articles having been actually exported from thence as herein set forth, subject to no drawback, bounty, or allowance, then this obligation to be void and of no effect, otherwise it shall be and remain in full force and virtue.

Sealed and delivered }
in the presence of }

And upon receiving a bond as aforesaid, it shall be lawful for the said collector, and naval officer, where any, to grant a permit for landing of the said articles in like manner as if the said certificate had been produced; and in default of such certificate being produced, within the time limited in such bond, the collector taking the same, is required and enjoined to enforce the payment thereof.

Sec. 49. All oaths or affirmations to be taken, upon making of any of the reports or entries, or respecting any of the acts herein mentioned, whether by

the master of any vessel, or the owner or consignee of any merchandise, his or her factor or agent, or by any other person, shall be administered by the collector, or officer to or with whom report or entry shall be made, and shall be reduced to writing, and subscribed by the person swearing or affirming, and also by the person administering the said oaths or affirmations. And the collector jointly with the naval officer, or alone where there is none, shall, according to the best of his or their judgment or information, make a gross estimate of the amount of the duties on the merchandise, to which the entry of any owner or consignee, his or her factor or agent, shall relate, which estimate shall be endorsed upon such entry, and signed by the officer or officers making the same. And the amount of the said estimated duties having been first paid, or secured to be paid, pursuant to the provisions of this act, the said collector shall, together with the naval officer, where there is one, or alone where there is none, grant a permit to land the merchandise, whereof entry shall have been so made, and then, and not before, it shall be lawful to land the said goods; and all permits shall specify, as particularly as may be, the goods to be delivered, namely, the number and description of the packages, whether trunk, bale, chest, box, case, pipe, hogshead, barrel, keg, or any other packages whatever, with the mark and number of each package, and as far as circumstances will admit, the contents thereof, together with the names of the vessel and master, in which, and the place from whence they were imported; and no merchandise shall be delivered by any inspector or other officer of the customs, that shall not fully agree with the description thereof in such permit:—And the form of all permits for the purposes aforesaid, and for deliveries from the public stores, shall be as follows:—

Port of

To the inspectors of the port (or) the keeper of the public store (as the case may require.)

We certify, that (insert the name of the actual owner or consignee) has paid (or) secured to be paid (as the case may be) the duties on merchandise contained in the following packages, in conformity to the entry thereof of this date, which merchandise was imported in the (insert the denomination and name of vessel, master's name, and the port from which arrived) permission is accordingly hereby given to land (or) deliver the same, viz. (here particularly insert the mark, number, and denomination of each package, and as far as may be, their contents, noting those articles that are to be either weighed, gauged, or measured.)

A. B. Collector,
C. D. Naval Officer.

Sec. 57. If any package whatever, which shall have been reported as aforesaid, shall be wanting, and not found on board such vessel, or if the merchandise, on board such vessel, shall otherwise not agree with the report or manifest delivered by the master, in every such case the master shall forfeit and pay the sum of five hundred dollars: *Provided nevertheless*, That if it shall be made appear to the satisfaction of the collector, naval officer, and surveyor, or to the major part of them, where those officers are established at any port, or to the satisfaction of the collector alone, where neither of the said others is established, or, in case of trial for the said penalty, to the satisfaction of the court, that no part whatever of the merchandise of such vessel has been unshipped, landed, or unladen, since it was taken on board, except as shall have been specified in the said report, or manifest, and pursuant to permits as aforesaid, or that the said disagreement is by accident, or mistake, in such case the penalty aforesaid shall not be inflicted; but in all cases as aforesaid, the master of any vessel shall be required and shall make a post entry or addition to the report or manifest by him delivered, of any and all merchandise omitted to be included and reported in such manifest; and it shall not be lawful to grant a permit to unlade any such merchandise so omitted, before such post entry, or addition to such report or manifest, has been made.

*Sec. 66. If any merchandise, of which entry shall have been made in the office a collector, shall not be invoiced according to the actual cost thereof, at the place

* New regulations have been made on the subject of this section by the Appraisement Act of 20th April, 1818, which vide.

of exportation, with design to evade the duties thereupon, or any part thereof, all such merchandise, or the value thereof, to be recovered of the person making entry, shall be forfeited.

By an act passed March 3d, 1801, it is enacted,

That the invoices of all goods imported into the United States, and subject to a duty ad valorem, shall be made out in the currency of the place or country from whence the importation shall be made, and shall contain a true statement of the actual cost of such goods, in such foreign currency or currencies, without any respect to the value of the coins of the United States, or foreign coins which now are, or shall be by law, made current within the United States, in such foreign place or country.

By an act passed April 20th, 1818, it is enacted, that,

Sec. 1. No merchandise, imported into the United States, and subject to an ad valorem duty, shall be admitted to entry with the collector of the district into which the same is brought, unless the owner, consignee, or other importer, shall produce to such collector the original invoice thereof; but the same shall be deposited, and remain, in the public warehouse, at the expense and risk of the owner thereof, until such invoice be produced: *Provided, however*, That in all cases where such merchandise shall have been imported from a port or place on this side the Cape of Good Hope, if such invoice or invoices be not produced in six months, and from the Cape of Good Hope, or any port or place beyond the same, within nine months, from the time of such importation, then the said merchandise shall be appraised, and the duties estimated thereon, in the manner hereinafter directed: *And provided always*, That this prohibition shall not extend to such merchandise as shall have been taken from a wreck.

2. The secretary of the treasury is authorized, if the circumstances under which such merchandise shall have been imported render it expedient, to direct the collector in whose district such merchandise may be, to admit the same to entry, on an appraisement duly made thereof, in the manner prescribed in the 9th part of this chapter: *Provided*, the owner, agent, consignee, or importer, of such merchandise, shall first give bond, with sufficient sureties, to the United States, to produce to such collector the invoice thereof, within eight months, if the same were imported from any port or place on this side the Cape of Good Hope, and within fifteen months, if from the Cape of Good Hope, or port or place beyond the same, and to pay any amount of duty to which it shall appear, by such invoice, the said merchandise was subject, over and above the amount of duties estimated on the said appraisement.

3. When an entry shall be made with any collector, of any merchandise, imported into the United States, and subject to an ad valorem duty, the person making such entry shall, if he be owner of such merchandise, declare the same on oath, and if he be not the owner, shall declare on oath the name and residence of the owner of such merchandise.

5. In addition to the oath now required by law to be taken by any owner, consignee, agent, or importer, he or she shall, on the entry of any merchandise, so imported, and subject to an ad valorem duty, declare on oath that the invoice produced by him or her exhibits the true value thereof, in its actual state of manufacture, at the place from which the same was imported.

6. When merchandise, imported into the United States, subject to an ad valorem duty, shall be consigned to any person, to be entered by him, and to be delivered to order, or to any other person, such merchandise shall be deposited and remain in the public warehouse, at the expense and risk of the owner, until the person authorized to receive them shall appear and make the additional oath required by the 5th section of this act, or (if such person shall not reside at the place of such importation) until the invoice of such merchandise, accompanied by a notarial act of his having taken the said oath, shall be produced to the collector in whose district such merchandise may be: *provided*, that, if the provisions of this section shall not be complied with in four months from the time of the importation of such merchandise, the same shall be subject to the appraisement required by this act.

8. No merchandise, imported and subject to duty as aforesaid, and belonging to any person or persons residing, and, at the time of such importation, being,

24. In all cases of entry of merchandise for the benefit of drawback, the time of twenty days shall be allowed from the date of the clearance of the ship or vessel in which the same shall be laden, for giving the exportation bonds for the same: provided, that the exporter shall, in every other particular, comply with the regulations and formalities heretofore established for entries of exportation for the benefit of drawback.

8. The values of all imported articles subject to specific duties, shall be ascertained in the manner in which the values of imports subject to duties ad valorem are ascertained.

Russia—Prussia—Sweden—Swedish West Indies—Denmark and Norway—

* See part 9th of this chapter.

Danish West Indies—Danish East Indies—Holland—Dutch West Indies and American Colonies—Dutch East Indies—England, Man, and Berwick—Scotland—Ireland—Guernsey, Jersey, Sark, and Alderney—Gibraltar—British African Ports—British East Indies—British West Indies—Newfoundland, and British Fisheries—British American Colonies—Other British Colonies—The Hanse Towns and Ports of Germany—French European Ports on the Atlantic—French European Ports on the Mediterranean—French West Indies and American Colonies—French East Indies—Bourbon and Mauritius—Other French African Ports—Hayti—Spanish European Ports, on the Mediterranean—Teneriffe and the other Canaries—Manilla and Philippine Islands—Honduras, Campeachy, and Musquito Shore—Cuba—other Spanish West Indies—Spanish South American Colonies—Portugal—Madeira—Fayal and the other Azores—Cape de Verd Islands—other Portuguese African Ports—Coast of Brazil and other Portuguese American Colonies—Italy and Malta—Trieste and other Austrian Ports, on the Adriatic—Ragusa and the Seven Islands—Turkey, Levant, Egypt, Mocha, and Aden—Morocco and Barbary States—Cape of Good Hope—China—Asia (generally)—West Indies (generally)—Europe (generally)—Africa (generally)—South Seas—North West Coast of America.—Total.

Value of Merchandise free of duty.

Copper, Brass, and Tin, in pigs or bars—Bullion—Gold and Silver Coin—Dye-Woods—Raw Hides—Brimstone and Sulphur—Furs undressed—Plaster of Paris—Burr Stones, unwrought—All other free articles.

Value of Merchandise paying duties ad valorem.

Manufactures of Wool—Piece Goods.—Cloths and Cassimeres—Worsted and Stuff Goods—Also, Blankets and Rugs.

Manufactures of Cotton—Piece Goods.—Printed and Coloured—White—Nankeens.

Manufactures of Woollen and Cotton Hose—Cotton Twist, Yarn, and Thread—Linens, bleached and unbleached—Silk Goods—Hempen Goods—Brass—Copper, or of which Copper is the material of chief value—Iron and Steel, other than those paying specific rates of duty—Glass ware, other than that paying a specific rate of duty—China ware—Earthen and Stone ware—Tin and Pewter—Paper, writing and wrapping—Gold, Silver, and Precious Stones—Hats, Caps, and Bonnets.

Copper, subject to a duty of 15 per cent.—Tin in sheets or plates—all other articles paying an ad valorem duty.

Quantity and value of merchandise paying specific rates of duty.

Duck—not exceeding 52 archeens each piece—Russia—Ravens—Holland.—No. of pieces of each.

Russia Sheetings—not exceeding 52 archeens each piece—Brown—white—No. of pieces of each.

Value of duck and sheetings.

Wines.—Madeira, Burgundy, Champaign, Rhenish, and Tokay—Sherry and St. Lucar—Lisbon, Oporto, and other wines of Portugal and Sicily—Teneriffe, Fayal, and other wines of the Western Islands—Claret and other wines not enumerated, when imported in bottles or cases—all other wines, when imported otherwise than in cases or bottles.—Value and No. of gallons of each kind.

Spirits.—From grain—from other materials than grain.—Value and No. of gallons of each kind.

Molasses.—No. of gallons—value.

Beer, Ale, and Porter.—No. of gallons—value.

Oil, foreign fishing.—Spermaceti—whale and other fish oil—olive oil in casks.—Value and No. of gallons of each kind.

Tea.—Bohea, souchong, and other black—imperial, gunpowder, and Gomee—hyson and young hyson—hyson-skin and other green.—No. of lbs. and value of each kind.

- Coffee.—No. of lbs. and value.
 Cocoa.—No. of lbs. and value.
 Chocolate.—No. of lbs. and value.
 Sugar.—Brown, white clayed or powdered—candy, loaf, and lump.—No. of lbs. and value of each kind.
 Fruits, &c.—Almonds—currants—prunes and plums—figs—raisins, in jars and boxes—all other raisins.—No. of lbs. and value of each.
 Candles, tallow, wax, or spermaceti—cheese—soap—tallow.—No. of lbs. and value of each kind.
 Spices.—Mace—nutmegs—cinnamon—cloves—pepper—pimento—Chinese cassia.—No. of lbs. and value of each article.
 Indigo.—No. of lbs. and value.
 Cotton.—No. of lbs. and value.
 Tobacco manufactured other than snuff and cigars—Snuff.—No. of lbs. of each kind, and value.
 Gunpowder.—No. of lbs. and value.
 Bristles—Glue.—No. of lbs. of each and value.
 Paints.—Ochre, dry, in oil—white and red lead—whiting and Paris white.—No. of lbs. of each kind and value.
 Lead.—Pig, bar, and sheet—shot.—No. of lbs. and value of each.
 Cordage.—Cables and tarred—untarred and yarn—twine—pack thread and seines.—No. of lbs. of each and value.
 Copper and Composition.—Rods and bolts—nails and spikes.—No. of lbs. of each kind and value.
 Iron and Steel Wire.—No. of lbs. and value.
 Manufactures of Iron.—Tacks, brads, and sprigs—nails—spikes—anchors.—No. of lbs. of each kind and value.
 Sheet, rod, and hoop.—No. of cwt. and value.
 In bars and bolts—manufactured by rolling—otherwise.—No. of cwt. and value of each.
 Iron.—Pig iron—castings.—No. of cwt. and value.
 Steel.—No. of cwt. and value.
 Hemp.—No. of cwt. and value.
 Alum.—No. of cwt. and value.
 Copperas.—No. cwt. and value.
 Salt—bushels of 56 lbs.—No. of bushels and value.
 Coal.—No. of bushels and value.
 Fish.—Foreign caught, dried.—No. of cwt. and value.—Pickled—salmon—mackerel—all other.—No. of barrels and value.
 Glass.—Black quart bottles—No. of gross and value.—Window—No. of 100 square feet and value.
 Boots, shoes, and slippers.—No. of pairs and value.
 Cigars.—No. of M. and value.
 Playing Cards.—No. of packs and value.
 Value of merchandise imported from each country paying ad valorem rates of duty.
 Value of merchandise imported from each country paying specific rates of duty.
 Total amount, in dollars.

Part 6th. Regulations concerning Wines, Distilled Spirits, and Teas.

Sec. 30. The master or other person having charge of any vessel having distilled spirits, wines, or teas, shall, within 48 hours after arrival, make a report in writing to the surveyor, or officer acting as inspector of the revenue of the port, under a penalty of 500 dollars and the loss of the spirits so omitted ; the report to be of the following form :

<i>Report of distilled Spirits, and Teas, imported in the</i>				<i>built in</i>		<i>burthen</i>	
<i>whereof</i>		<i>is master, from</i>		<i>bound to</i>			
<i>Marks.</i>	<i>Number.</i>	<i>Description of casks, chests and packages inclusive.</i>	<i>Kinds and qualities of spirits, wines, and teas.</i>	<i>Estimated gallons of spirits of each kind.</i>	<i>Estimated gallons of wines of each kind.</i>	<i>Estimated pounds of teas of each kind.</i>	<i>To whom consigned.</i>
							<i>Where consigned.</i>

Sea-stores, consisting of spirits, wines, and teas. (Here insert the quantities particularly.) (signed)

A. B. master of _____

To _____
Inspector of the Revenue
for the Port of _____

For regulations as to these articles imported into a district other than that of their final destination, vide page 280, sec. 35.

Sec. 37. Every importer of distilled spirits, wines, or teas, shall make a separate and additional entry thereof, specifying the name of the vessel, and master, in which, and the place from whence, such spirits, wines, or teas, were imported, together with the quantity and quality thereof, and a particular detail of the chests, casks, or vessels containing the same, with their marks and numbers, which entry shall be subscribed by the person making the same, for himself, or in behalf of the person for whom such entry is made ; and shall be certified by the collector, before whom the same is made, as being a true copy, and conformable to the general entry before directed, in respect to all distilled spirits, wines, and teas therein contained ; which entry thus certified shall be transmitted to the surveyor or officer acting as inspector of the revenue for the port, where it is intended to commence the delivery of such spirits, wines, or teas, so entered, or any part thereof : And every permit granted for the unlading of said spirits, wines, or teas, or any part thereof, shall, previous to such unlading be produced to the said officer of inspection, who shall record the contents thereof, and shall endorse thereupon the word, "*Inspected,*" the time when, and his own name ; after which he shall return the said permit to the person by whom it shall have been produced, and then, and not otherwise, it shall be lawful to land the spirits, wines, or teas, therein specified ; and if the said spirits, wines, or teas, shall be landed without such endorsement upon the permit granted for that purpose, the master shall, for every such offence, forfeit five hundred dollars, and the spirits, wines, or teas, so landed, shall be forfeited.

Sec. 38. All distilled spirits, wines, and teas, shall be landed under the inspection of the officer acting as inspector of the revenue for the port, and not otherwise, on pain of forfeiture thereof, for which purpose the said officer or his deputies, shall at all reasonable times attend ; Provided that this shall not be construed to exclude the inspection of any officer of the customs, as now or heretofore practised.

Sec. 39. The officers of inspection of any port where distilled spirits, wines, or teas shall be landed, shall, upon the landing thereof, and as soon as the casks, chests, vessels, and cases, containing the same, shall be inspected, gauged, or measured, mark in durable characters, the several casks, chests, vessels, and cases, containing the same, and the said marks shall express the number of casks, chests, vessels, or cases, whether of spirits, wines, or teas, marked by each officer respectively, in each year, in progressive numbers for each of the said articles; also the port of importation, the name of the vessel, and the surname of the master; also, each kind of spirits, wines, or teas, for which different rates of duty are or shall be imposed, the number of gallons in each cask or case, if spirits or wines; the rate of proof if spirits, and the number of pounds weight if teas; also the name of the surveyor or chief officer of inspection for the port, and the date of importation; of all which particulars the chief officers of inspection shall keep fair and correct accounts.

Sec. 40. The surveyor or chief officer of inspection, within the port or district in which the said spirits, wines, or teas, shall be landed, shall give to the proprietor, importer, or consignee thereof, or his or her agent, a certificate of the whole quantity of the said spirits, wines, or teas, which shall have been so landed: which certificate, besides the quantity, shall specify the name of such proprietor, importer, consignee, or agent, and of the vessel from on board which the said spirits, wines, or teas, shall have been landed, and of the marks of each cask, chest, vessel, or case, containing the same; the form following, to wit:

District of
Inspector's Office, No.
Port of

I certify, that (here insert the name of the proprietor, importer, or consignee) imported into this district on the (here insert the date of importation) in the (here insert the name of the vessel, and whether of the United States or foreign, and the name of the master) from (here insert the place from which imported, the number of, and whether casks, chests, vessels, or cases of (here insert whether spirits, wines, or teas, and the kind of each) marked as per margin (insert in the margin the marks and numbers, if any, at the time of importation) which (here insert whether casks, chests, vessels, or cases,) have been marked as follows (here insert the marks of the inspector of the port) containing (here insert the quantity of spirits, wines, or teas) according to returns made to this office.

A. B. Inspector.

Sec. 41. The surveyor, or chief officer of inspection as aforesaid, shall, in addition to the general certificate aforesaid, give to the proprietor, importer, or consignee of any distilled spirits, wines, or teas, or his or their agent, a particular certificate, which shall accompany each cask, chest, vessel, or case of distilled spirits, wines, or teas, wherever the same may be sent, within the limits of the United States, as evidence that the same have been lawfully imported; and which certificate shall be of the form following, to wit:

No. District of
Port of

I certify, that there was imported into this district on the (here insert the date of importation) by (here insert the name of the proprietor, importer, or consignee) in the (here insert the name of the vessel, the surname of the master, and whether a vessel of the United States or a foreign vessel) from (here insert the place from which imported) one (here insert whether cask, chest, vessel, or case, by the proper name) of (here insert whether spirits, wines, or teas, and the kind of each) numbered and marked as per margin, (the marks of the inspector to be inserted in the margin) containing (here insert the number of gallons and rate of proof, if spirits, or gallons, if wines, or the number of pound weight nett if teas.)

A. B. Supervisor.

Countersigned by
C. D. Inspector.

Sec. 42. The supervisors of the several districts shall provide blank certificates, under such checks and devices as shall be prescribed by the proper officers of the Treasury, and shall number, sign, and deliver the same inspectors of the revenue, for the several ports in their respective districts; which blank certificates shall be filled up and countersigned by the inspectors aforesaid, who

shall be accountable therefor to the survivors; and the said inspectors shall make regular and exact entries of all certificates which shall be so granted.

Sec. 43. The proprietor, importer, or consignee, or his or her agent, who may receive said certificates, shall, upon the sale or delivery of any of the said spirits, wines, or teas, deliver to the purchaser or purchasers thereof, the certificate or certificates which ought to accompany the same, on pain of forfeiting the sum of fifty dollars for each cask, chest, vessel, or case, with which such certificate shall not be delivered;—And if any casks, chests, vessels, or cases, containing distilled spirits, wines, or teas, which by the foregoing provisions ought to be marked and accompanied with certificates, shall be found in the possession of any person unaccompanied with such marks and certificates, it shall be presumptive evidence that the same are liable to forfeiture; and it shall be lawful for any officer of the customs or of inspection to seize them as forfeited; and if upon the trial in consequence of such seizure, the owner or claimant of the spirits, wines, or teas seized, shall not prove that the same were imported according to law, and the duties thereupon paid or secured, they shall be adjudged to be forfeited.

Sec. 44. On the sale of any cask, chest, vessel, or case, which has been marked as aforesaid, as containing distilled spirits, wines, or teas, and which has been emptied of its contents, and prior to the delivery thereof to the purchaser, or any removal thereof, the marks and numbers, which shall have been set thereon by or under the direction of any officer of inspection, shall be defaced and obliterated in the presence of some officer of inspection or of the customs, who shall on due notice being given attend, for that purpose, at which time the certificate which ought to accompany such cask, chest, vessel, or case, shall also be returned and cancelled: And every person, who shall obliterate, counterfeit, alter, or deface any mark or number placed by an officer of inspection upon any cask, chest, vessel, or case, containing distilled spirits, wines, or teas, or any certificate thereof: or who shall sell or in any way alienate or remove any cask, chest, vessel, or case, which has been emptied of its contents, before the marks and numbers shall have been defaced or obliterated, as aforesaid; or who shall neglect or refuse to deliver the certificate issued to accompany the cask, chest, vessel, or case, of which the marks and numbers shall have been defaced or obliterated in manner aforesaid, on being thereto required by an officer of inspection or of the customs, shall for each and every such offence forfeit and pay one hundred dollars, with costs of suit.

Sec. 62. On teas imported from China or Europe, it shall be at the option of the importer or importers (to be determined at the time of making entry therefor) either to secure the duties thereon, on the same terms and stipulations as on other merchandise imported, or to give his or her, or their bond to the collector of the district, where any such teas shall be landed, in double the amount of the duties thereupon, with condition for the payment of the said duties in two years, from the date of such bond; which bond shall be accepted by such collector without surety upon the terms following, that is to say—the teas, for the duties whereof such bond shall be accepted, shall be deposited at the expense and risk of the said importer or importers in one or more store-house or store-houses, as the case may require, to be agreed upon between the said importer and the inspector, or other officer of inspection of the revenue, for the port where the said teas shall be landed; and upon every such store-house, the said inspector, or officer of inspection, shall cause to be affixed two locks, the key of one of which locks shall be kept by such importer, his or her agent, and the key of the other of which locks shall be kept by such inspector, or by such other person as he shall depute or appoint in his behalf, whose duty it shall be to attend at all reasonable times, for the purpose of delivering the said teas out of the said store-house or store-houses; but no delivery shall be made of any of the said teas without a permit in writing, under the hand of the collector of the port and naval officer of the same, where such tea is landed: before obtaining whereof it is necessary that the duties upon the teas be first paid or secured to be paid to the said collector, that is to say—the said party or parties shall give bond with one or more sureties to the satisfaction of the said collector, in double the amount of the duties upon the quantity of teas to be delivered, with condition for the payment of the said duties, if the same shall not

exceed one hundred dollars, in four months; if it shall exceed one hundred dollars, and not exceed five hundred dollars, in eight months; or if the same shall exceed five hundred dollars, in twelve months: Provided always, that the time to be allowed for the payment of the duties upon any teas shall not extend the credit for such duties beyond the term of two years, originally allowed upon the depositing of the said teas; And Provided, that if the duties on any teas deposited as aforesaid, shall not have been paid, or secured to be paid, within the term of two years, according to the condition of the obligation, to be first given to the collector of the district within which the same shall have been landed, it shall be the duty of the said collector to cause so much of the said teas as may be necessary, to be sold at public auction, and retaining duties, together with the expenses of safe-keeping and sale of the said teas, shall return the overplus, if any, to the owner, or owners thereof, his, her, or their agent or lawful representative; and the amount of each bond or bonds, taken for the duties on any teas delivered, after a deposit as aforesaid, shall be endorsed immediately on the original bond given by the importer or importers of the said teas, specifying the date, quantity, and quality of the teas delivered, the amount of duty secured thereon, by whom, and the term of payment.

Provisions for the deposite of wines and distilled spirits in public warehouses, were made by, the following act:

By an act passed April 20, 1818, it is enacted, that

Sec. 1. It shall be lawful for any importer of wines or distilled spirits, which may be imported into the United States at any time after the first day of June next, at his option, to be determined at the time of making entry therefor, either to secure the duties thereon, on the same terms and stipulations as on other goods, wares, and merchandise, imported, or to give his bond, in double the amount of the duties thereupon, with condition for the payment of the said duties, in twelve calendar months from the date of such bond; which bond shall be accepted by such collector, without surety, upon the terms following, viz.: the wines or distilled spirits, for the duties whereof such bond shall be accepted, shall be deposited, at the expense and risk of the importer, in such public or other storehouses as may be agreed upon between the importer and the surveyor, or officer of inspection of the revenue, for the port where the said wines or spirits shall be landed: and such wines or spirits shall be kept under the joint locks of the inspector and the importer; but no delivery shall be made of such wines or spirits without a permit in writing, under the hand of the collector and naval officer of the port.

Sec. 2. No permit shall be given for the removal of the wines or spirits deposited under the provisions of the foregoing section, unless the duties upon the wines or spirits, for which it shall be required, be first paid or secured, in the manner following, viz. the importer, or his assignee, shall give bond, with one or more surety or sureties, to the satisfaction of the collector, in double the amount of the duties, upon the wines or spirits in each case to be delivered, with condition for the payment of the said duties, at the same credits, to be computed from the date of the permit, as would have been allowed on bonds for the same articles, if they had not been deposited under the provisions of this act: provided, that the time to be allowed for the payment of the duties upon any wines or spirits so delivered, or for any part of such duties, shall not be such as to extend the credit beyond the term of twelve calendar months, originally allowed, upon depositing such wines and spirits.

Sec. 3. If the duties on any wines or spirits, deposited under the provisions of this act, shall not have been paid, or secured to be paid, in the manner described in the foregoing section, within the term of twelve calendar months from the time of their importation, it shall be the duty of the collector to cause so much of such wines or spirits, as may be necessary, to be sold at public auction, and, retaining the sum necessary for the payment of the duties which have not been secured or paid, together with the expenses of safe keeping and sale of such wines or spirits, shall return the overplus, if any, to the owner, or to his agent or lawful representative; and the amount of each bond, taken for the duties on wines or spirits delivered, after being deposited, as directed by this act,

shall be endorsed immediately on the original bond given by the importer, specifying the articles delivered and the date of the delivery.

Sec. 4. If any wines, or other spirits, deposited under the provisions of this act, shall be embezzelled, or fraudulently hid or removed, from any store or place, wherein they shall have been deposited, they shall be forfeited, and the person or persons so embezzling, hiding, or removing the same, or aiding or assisting therein, shall be liable to the same pains and penalties as if such wines or spirits had been fraudulently unshipped or landed without payment of duty.

Sec. 5. The bonds for duties on articles imported by sea, the produce of foreign places or islands, situated on the eastern shores of America, north of the equator, or in its adjacent seas, bays, and gulfs, salt excepted, shall be payable, one half in six and one half in nine calendar months; and the bonds for duties on goods, wares, and merchandise, (other than wine, salt, and teas,) imported from any other place than Europe and the West Indies, shall be payable, one-third in eight, one-third in ten, and one-third in eighteen calendar months.

Credit on duties, when, on a single importation, they amount to fifty dollars, or exceed that sum.

On wines, from any part of the world, twelve months, from the time the vessel, in which the importation is made, enters at the custom house.

On brandy, rum, gin, and other spirits, if you enter them, at once, for home consumption, you get the same credit as you do on goods generally, according to the place you import from.

If you enter them originally for the benefit of drawback, the credit of the duties is not allowed to or exceed twelve months from the date of the entry of the vessel. For instance, if on the 1st May a vessel enters at the custom house with brandy from Europe, and you enter it for exportation, and then on the 1st June following, you enter said brandy for home consumption, the duty will be payable one-third in eight, one-third in ten months from the 1st June, and one-third in twelve months from May 1. So if you should enter rum from Pernambuco, for exportation, in a vessel arrived July 1; and on the 6th September following, you enter this rum for home consumption, the credit on the duties will be payable one-third in eight months from 6th September, and two-thirds on the 1st July, 1821. If you wish to have either wines or spirits entitled to debenture, you must be careful to declare this intention at the custom house, at the time you make your entry, and name it in your entry. The goods then go in the custom-house stores; whence you can afterwards draw them, when you please, either for the benefit of drawback coastwise, or for exportation, or for home consumption.

Teas.—Remember to enter them for storage by the custom-house, even if you wish to enter them at once for home consumption.

After entering your teas for storage, you can, at any moment, enter them for home consumption. If you thus enter, from the custom-house stores, at any one time, teas, the duty of which amounts to \$100 or less, you are entitled on the duties to a credit of

-	-	-	-	-	-	4 months
If over \$100, and not exceeding \$500,	-	-	-	-	-	8 months
If over \$500,	-	-	-	-	-	12 months

This credit begins at the time you make the request to take the tea out of the custom-house store; but it cannot extend beyond two years from the time the vessel enters at the custom-house.

If you should forget to enter the tea for storage in the public stores, then the credit will be only as follows, beginning at the time the vessel enters at the custom-house, viz.

If from China, $\frac{1}{2}$, 6 months— $\frac{1}{2}$, 9 months—and $\frac{1}{2}$, 12 months.

If from Europe, one-third, 8 months—one-third, 10 months—and one-third 12 months.

Distilled spirits cannot be imported in casks or vessels of a capacity less than 90 gallons, wine measure, on pain of forfeiture, together with vessel.

Sec. 50. No merchandise brought in any vessel from any foreign place, shall be unladen or delivered within the United States but between the rising and setting of the sun, except by special license from the collector of the port, and naval officer of the same, where there is one, for that purpose, nor at any time without a permit from the collector, and naval officer, if any, for such unloading or delivery; and if any goods, wares, or merchandise, shall be unladen or delivered from any such vessel, contrary to the direction aforesaid, or any of them, the master and every other person, who shall knowingly be concerned, or aiding therein, or in removing, storing, or otherwise securing the said merchandise, shall forfeit and pay, each and severally, the sum of four hundred dollars for each offence, and shall be disabled from holding any office of trust or profit under the United States, for a term not exceeding seven years; and it shall be the duty of the collector of the district to advertise the names of all such persons in a newspaper, printed in the state in which he resides, within twenty days after each respective conviction; and all merchandise, so unladen or delivered, shall become forfeited, and may be seized by any of the officers of the customs; and where the value thereof, according to the highest market price of the same, at the port or district where landed, shall amount to four hundred dollars, the vessel, tackle, apparel, and furniture, shall be subject to like forfeiture and seizure.

Sec. 51. No merchandise, brought in any vessel from any foreign place, requiring to be weighed, gauged, or measured, in order to ascertain the duties thereupon, shall not, without the consent of the proper officer, be removed from any wharf or place upon which the same may be landed or put, before the same shall have been so weighed, gauged, or measured, and if spirits, wines, teas, or sugars, before the proof or quality and quantity thereof is ascertained and marked thereon, by or under the direction of the proper officer for that purpose; and if any such goods, wares, and merchandise, shall be removed from such wharf or place, unless with the consent of the proper officer had and obtained, before the same shall have been so weighed, gauged, or measured, and if spirits, wines, teas, or sugars, before the proof or quality and quantity shall have been so ascertained and marked, the same shall be forfeited, and may be seized by any officer of the customs or inspection.

By all goods paying an ad valorem duty, one package out of every invoice and one out of every fifty, in each invoice, is to be sent by the inspector to the custom-house appraisers' store for examination, whether received from abroad or imported coastwise, if in the original packages of importation. On sending such goods coastwise, whether for the benefit of drawback or not, make out a copy of the extract from the invoice, which extract contains so much of the invoice as relates to the goods shipped; and which, duly sworn to by the importer, before the collector, and duly certified by the collector, is to accompany the goods.

I do solemnly swear that the annexed is the original invoice of the goods, wares, and merchandise, therein mentioned, produced by me on entry: and that the same exhibits the true value of the said goods, wares, and merchandise, in their actual state of manufacture at the place from which the same were imported.

*this day of
before me.*

Sec. 56. If at the expiration of fifteen working days, after the time within which the report of the masters so required to be made to the collector of a dis-

strict as aforesaid, there shall be found on board any merchandise, other than shall have been reported for some other district, or some foreign port or place, the said inspector or inspectors shall take possession thereof. Provided, that with the consent of the owner or consignee of any merchandise, or with the consent of the owner or master of the vessel, in which the same may be imported, the said merchandise may be taken possession of at any time after five days notice to the collector of the district. And all merchandise, taken as aforesaid, shall be delivered pursuant to the order of the collector of the district; for which a certificate or receipt shall be granted in the following form:

District of
Port of

I certify, that there has been received into store, from on board the (insert the denomination and name of the vessel), whereof (insert the name) is master, from (insert port or place where from) the following merchandise, to wit, (here enumerate the several packages, their denominations, marks, and numbers, and if articles in bulk, the quantity) lodged by (insert the name) inspector, under whose care the said vessel was unladen.

A. B.

And the said goods shall be kept with due and reasonable care, at the charge and risk of the owner or owners thereof, for the term of nine months, and if within that time, no claim be made for the same, an inventory and an appraisement thereof shall be made and verified on oath or affirmation by two or more reputable merchants before the said collector, and to remain with him; and said collector shall afterwards cause the said goods to be sold at public auction (previously causing the same to be advertised in one or more of the public newspapers, printed at or nearest to the port or place where the sale is to be, for the space of one month) and retaining the duties thereon agreeably to such inventory and appraisement, and all charges thereon, shall pay the overplus, if any there be, into the treasury of the United States, there to remain for the use of the owner or owners, who shall, upon due proof of his, her, or their property, be entitled to receive the same; for which purpose the collector shall transmit with the said overplus a copy of the inventory, appraisement, and account of sales, specifying the marks, numbers, and descriptions of the packages sold, their contents, the name of the vessel and master, in which, and of the port or place from whence they were imported, and the time when, and the name of the person or persons to whom the said goods were consigned in the manifest; and the receipt or certificate of the collector shall exonerate the master or person having the charge or command of any ship or vessel, in which such goods, wares, and merchandise, were imported, from all claim of the owner or owners thereof: Provided, that nothing herein contained shall be understood to prohibit the sale of such quantities of goods, stored as aforesaid, as may be necessary to discharge the duties thereon, at the time or times when such duties shall become due and payable. And provided, that where any entry shall have been duly made of such goods, the same shall not be appraised; and that where such goods are of a perishable nature, they shall be sold forthwith: Provided further, that the said limitation of fifteen days shall not extend to ships or vessels laden with salt or coal: but if the said master or owner of any such ship or vessel, so laden with salt or coal, requires a longer time to discharge her cargo, the wages or compensation of the inspector, for every day's attendance exceeding the said fifteen days, shall be paid by the said master or owner—and thereupon the collector is hereby authorized and required to allow such longer time as in his judgment he may think necessary to discharge such cargo, not exceeding fifteen days. And if by reason of the delivery of the cargo, in several districts, more than the said term of fifteen working days, shall in the whole be spent therein, the wages or compensation of the inspector or inspectors who may be employed on board any ship or vessel, in respect to which such term may be so exceeded, shall, for every day of such excess, be paid by the said master or owner; and it shall be the duty of such inspectors, previously to the clearance of such vessel, to render an exact account to the collector of all such compensations as shall have been paid, or shall be due and payable by such master or owner.

By an act of 22d February, 1805, it is enacted, that

It shall be lawful for any ship or vessel to proceed with any goods, wares, or merchandise, brought in her, and which shall, in the manifest delivered to the collector of the customs, be reported as destined or intended for any foreign port or place, from the district within which such ship or vessel shall first arrive, to such foreign port or place, without paying or securing the payment of any duties upon such goods, wares, or merchandise, as shall be actually re-exported in the said ship or vessel. But such manifest, so declaring to re-export such goods, wares, or merchandise, shall be delivered to such collector within forty-eight hours after the arrival of such ship or vessel. And the master or commander of such ship or vessel shall give bond, as required by the thirty-second section of the act, entitled "An act to regulate the collection of duties on imports and tonnage."

Part 9th. Appraisement of Goods.

Sec. 52. All merchandise, of which entry shall have been made incomplete, or without the specification of particulars, either for want of the original invoice or invoices, or for any other cause, or which shall have received damage during the voyage, to be ascertained by proper officers, shall be conveyed to some warehouse or storehouse, to be designated by the collector, in the parcels or packages containing the same, there to remain with due and reasonable care, at the expense and risk of the owner or consignee, under the care of some proper officer, until the particulars, cost, or value, as the case may require, shall have been ascertained either by the exhibition of the original invoice or invoices thereof, or by appraisement, at the option of the owner, importer, or consignee, in manner hereafter provided, and until the duties thereon shall have been paid or secured to be paid, and a permit granted by the collector for the delivery thereof. For the appraisement of goods, wares, and merchandise, not accompanied with the original invoice of their cost, vide law of 20th of April, 1818.

And in respect to articles that have been damaged during the voyage as aforesaid, whether subject to a duty ad valorem, or which are chargeable with a specific duty, either by number, weight, or measure, the appraisers, as aforesaid shall in like manner ascertain and certify to what rate or per centage the said goods, wares, or merchandise, are damaged, and the rate or per centage of damage, so ascertained and certified, shall be deducted from the original amount, subject to a duty ad valorem, or from the actual or original number, weight, or measure, on which specific duties would have been computed: Provided, that no allowance for the damage on any merchandise that have been entered, and on which the duties have been paid or secured to be paid, and for which a permit has been granted to the owner or consignee thereof, shall be made, unless proof to ascertain such damage shall be lodged in the custom-house of the port or place where such merchandise have been landed, within ten days thereafter. And every person who shall be appointed to ascertain the damage during the voyage, of any merchandise, shall take and subscribe an oath or affirmation in the following form, to wit—

Appraiser's Oath or Affirmation of Damaged Merchandise.

I, _____, District of _____ Port of _____
appointed _____ by _____
Merchant, to ascertain and appraise the damage sustained on certain goods, wares, or
merchandise, imported by, or consigned to the said _____ in the
master, from _____ do solemnly, sincerely, and truly _____ that
I will diligently and faithfully inspect and examine the said goods, wares, or merchand-
ise, and truly report, to the best of my knowledge and belief, the amount of damage re-
ceived by the same, during the voyage of importation. And I do also _____ that I
have no direct or indirect interest in the said goods, wares, or merchandise.
before me.

This section has been modified if not altogether superseded by the more minute regulations contained in the act of April 20th, 1818.

Sec. 9. For the appraisement of merchandise, required by this act, or by any other act concerning imports and tonnage, the President of the United States, by and with the advice and consent of the Senate, shall appoint, in each of the ports of Boston, New-York, Philadelphia, Baltimore, Charleston, and New-Orleans, two persons well qualified to perform that duty, on the part of the United States, who, before they enter thereon, shall severally make oath diligently and faithfully to inspect and examine such merchandise, as the collector may direct, and truly to report, to the best of their knowledge and belief, *the true value thereof when purchased*, at the place or places from whence the same were imported; and, when any appraisement is to be made in the said principal ports, the two appraisers so appointed therein, together with a respectable resident merchant, chosen by the party in interest, and sworn in like manner, to examine and report, shall make such appraisement, the said merchant having also made oath that he has no direct or indirect interest in the case; but when any appraisement is to be made in ports other than those above named, two respectable resident merchants, selected by the collector, together with a respectable resident merchant, chosen by the party in interest, who shall have severally taken the oaths required by this section, shall be the appraisers: Provided, that in any case where the party in interest shall decline or neglect to choose a respectable resident merchant to join in such appraisement, the collector shall make the selection necessary to the due execution of this act, and the appraisement so made by them, or a majority of them, shall be valid and effectual in law; and the Secretary of the Treasury shall have authority to direct the appraisers for any collection district to attend in any other district for the purpose of appraising any merchandise imported therein; and for such service they shall respectively, receive at the rate of five dollars a day whilst engaged therein, and at the rate of five dollars for every twenty-five miles in going to, and returning from, such district; which shall form no part of the salary provided for by this act. And the President of the United States is hereby authorized, in the recess of the Senate, to appoint the appraisers of the said ports, which appointments shall continue in force until the end of the next session of Congress.

Sec. 10. Any merchant who shall be chosen by the collector, or by the party in interest, to make any appraisement required under this act, or under any other act respecting imports and tonnage, and who shall, after due notice of such choice has been given, decline or neglect to assist at such appraisement, shall be subject to a fine of not more than fifty dollars, and to the costs of prosecution in any court of the United States having cognizance of the same.

Sec. 11. Whenever, in the opinion of the collector, there shall be just grounds to suspect that goods, wares, or merchandise, subject to an ad valorem duty, and imported into his district, have been invoiced below the true value of such merchandise, in their actual state of manufacture, at the place from which they were imported, such collector shall direct the same to be appraised in the manner prescribed by the ninth section of this act; and if the value at which the same shall be appraised shall exceed, by twenty-five per centum, the invoice prices thereof, then, in addition to the ten or twenty per centum, as the case may be, laid upon correct and regular invoices according to law, there shall be added fifty per cent. on the appraised value; on which aggregate amount the duties on such merchandise, shall be estimated.

Sec. 12. In all cases where the appraised value of any merchandise, appraised under this, or any other act concerning imports and tonnage, shall exceed, by less than twenty five per centum, the invoice value thereof, such appraised value shall be considered the true value of such merchandise, upon which the duty is to be estimated, with the addition of such per centum as is by law required: but in all cases where the appraised value shall be less than the invoice value, the duty shall be charged on the invoice value in the same manner as if no appraisement had been made.

Sec. 13. Any merchandise, subject to an ad valorem duty, and belonging to a person or persons, residing, and, at the time of the importation thereof, being out of the United States, and which shall be imported in the United States, but, for want of the verification required by the eighth section of this act, not admitted to entry, shall be subject to the same appraisement, and to the same addition to the appraised value, as are prescribed by the eleventh section of this act, in the case of fraudulent invoices.

Sec. 16. That the expenses of appraisements made under this act shall, in all cases, be borne by the owner or owners of the merchandise appraised, except when the appraisal ordered under the eleventh section shall not exceed the invoice value of such merchandise, and where it shall be made on goods damaged by the voyage; and except, also, when the merchandise, appraised, shall have been taken from a wreck.

Sec. 17. Each of the appraisers who may be appointed under the ninth section of this act, in the several ports therein named, excepting New-York, shall receive, as a compensation for his services, one thousand five hundred dollars per annum, and the appraisers for the port of New-York shall receive each two thousand dollars per annum; and the merchants who may act as appraisers under this act shall receive for their services, while employed on that duty, a compensation of five dollars per diem; and the said sum of five dollars per diem, for each of the appraisers (whether official appraisers or selected merchants) shall be paid to the collector, by the owner or agent of the merchandise, appraised by them, respectively, in all cases where such owner or agent may be liable to the expense of appraisal, before the delivery of such merchandise, by the collector. The sums so received shall be forthwith paid by such collector to the appraisers, and the amount so paid to the official appraisers shall be in part satisfaction of their salary.

Part 10th. Collection of duties.

The regulations concerning the duties on teas, wines, and distilled spirits, and the manner of collecting them, will be found in part 6th, page 296.

Sec. 62. All duties on merchandise imported, shall be paid or secured to be paid, before a permit shall be granted for landing the same; and where the amount of such duty on goods imported on account of one person only, or of several persons jointly interested, shall not exceed fifty dollars, the same shall be immediately paid, and if it exceed that sum, shall, at the option of the importer or importers, be paid or secured to be paid by bond, if on articles the produce of the West Indies (salt excepted) the one half in six and the other half in nine calendar months; on salt in nine calendar months; on Madeira and all other wines, in twelve calendar months; on all goods, wares, or merchandise (other than wines, salt, and teas imported from Europe) one third in eight, one third in ten, and one third in twelve calendar months; and all goods, wares, and merchandise other than wines, salt, and teas, imported from any other place than Europe and the West Indies, one third in eight months, one third in ten months, and the other third in eighteen months from the date of each respective importation; which bond or bonds shall include one or more sureties, to the satisfaction of the collector of the district where the said duties shall accrue; And provided, That it shall be lawful for the collector, in lieu of sureties, as required on any bond given for securing the duties on any merchandise imported, to accept of a deposit of so much of the said goods, as shall in his judgment be sufficient security for the amount of the duties for which the bond shall have been given, and the charge of safe-keeping and sale of the goods so deposited, which shall be kept by the said collector, with due and reasonable care; at the expense and risk of the party or parties on whose account they have been so deposited, until the sum specified in such bond shall have become due; at which time, if such sum shall not be paid, so much of the said deposited goods as may be necessary, shall be sold at public sale, and the proceeds thereof, after deducting the charges of safe-keeping and sale thereof, shall be applied to the payment of such sum, rendering the overplus arising on such sale, and the residue of the goods so deposited, if any there be, to the person or persons by whom such deposit shall have been made, or to his, her, or their agent, or lawful representative:—and all bonds for moneys or duties to be paid, or services to be performed for the United States, shall be taken in the name of the United States of America: Provided nevertheless, That no person whose bond has been received, either as principal or surety for the payment of duties, or for whom any bond has been given by an agent, factor, or other person, in pursuance of the provi-

sions herein contained, and which bond may be due and unsatisfied, shall be allowed a future credit for duties until such bond be fully paid or discharged.— And to prevent frauds arising from collusive transfers, it is hereby declared, that all merchandise imported into the United States, shall, for the purposes of this act, be deemed and held to be the property of the persons to whom the same may be consigned, any sale, transfer, or assignment, prior to the entry and payment, or securing the payment of the duties, and the payment of all bonds then due and unsatisfied by the said consignee, to the contrary notwithstanding. And the form of the bond to be taken for securing the payment of duties shall be as follows :

Know all men by these presents, that we (here insert the name of the importer or consignee, or if by an agent, the name of such agent, and of the importers or consignees and the sureties, their place of abode and occupation) are held and firmly bound unto the United States of America, in the sum of _____ to be paid to the said United States ; for payment whereof, we bind ourselves, our heirs, executors, and administrators, jointly and severally, firmly by these presents ; sealed with our seals ; dated this _____ day of _____ in the _____ year of the independence of the said United States, and in the year of our Lord, one thousand _____

The condition of this obligation is such, that if the above bounden (here insert the principal, or agent for such principal, and the sureties) or either of them, or either of their heirs, executors or administrators, shall, and do, on or before the _____ day of _____ next, well and truly pay or cause to be paid, unto the collector of the customs for the district of _____ for the time being, the sum of _____ or the amount of the duties to be ascertained as due, and arising on certain goods, wares, and merchandise, entered by the above bounden (insert the name of the importer or consignee, or agent for such importer or consignee) as imported in the _____ master from _____ as per entry, dated _____ then the above obligation to be void, otherwise to remain in full force and virtue.

Sealed and delivered }
in the presence of }

Credit on Duties.

On all goods, except wines, distilled spirits, teas, and salt, the credit beginning at the time the vessel makes her entry, at the custom-house, is as follows :

If from Europe, one third, 8 months—one third, 10 months—and one third, 12 months.

If from the West Indies, or any other place on the eastern shores of America, north of the equator ; and its adjacent seas, bays, and gulfs, half, 6 months—and half 9 months.

If from any other place, one third, 8 months—one third, 10 months—and one third, 18 months.

Division of the bonds given for duties.

The following are instances of the constant practice in taking bonds, viz.

The whole amount of duties from the West Indies, being _____ \$101 50

half, 6 months	_____	\$50 50
half, 9 months	_____	51 00
		<u>\$101 50</u>

The whole amount of duties from Europe, or the East Indies, being _____ \$101 50

<i>From Europe.</i>		<i>From the E. I.</i>		
1/3, 8 months	-	8 months	_____	\$33 50
1/3, 10 months	-	10 months	_____	34 00
1/3, 12 months	-	18 months	_____	24 00
				<u>\$101 50</u>

The whole amount of duties from Europe, or the East Indies, being _____ \$103 50

<i>From Europe.</i>		<i>From the E. I.</i>		
1/3, 8 months	-	8 months	_____	\$34 50
1/3, 10 months	-	10 months	_____	34 00
1/3, 12 months	-	18 months	_____	35 00
				<u>\$103 50</u>

By which it will be perceived that the odd cents, if any there are, go to the first bond; and the odd dollar is put on the last bond.

Bonds for Duties.

By an act passed 28th April, 1818, it is enacted, that

Sec. 3. When an entry shall be made with any collector, of any merchandise imported into the United States, and subject to an ad valorem duty, the person making such entry shall, if he be owner of such merchandise, declare the same on oath, and if he be not the owner, shall declare on oath the name and residence of the owner of such merchandise.

Sec. 4. The ad valorem rates of duty upon merchandise, shall be estimated by adding twenty per cent. to the actual cost thereof, if imported from the Cape of Good Hope, or from any island, port, or place, beyond the same, and ten per cent. on the actual cost thereof, if imported from any other place or country, including all charges, except commissions, outside packages, and insurance.

Sec. 23. Any bond to the United States, entered into for the payment of duties by a merchant belonging to a firm, in the name of such firm, shall equally bind the partner or partners in trade, of the person or persons by whom such bond shall have been executed.

Sec. 63. The duties on the tonnage of any vessel shall be paid to the collector, at the time of making entry; and it shall not be lawful to grant any permit or to unlade any merchandise from such vessel, until the said tonnage duty is first paid:—And the register, or other document in lieu thereof, together with the clearance and other papers, granted by the officers of the customs to such vessel at her departure from the port or place from whence she may have arrived (Mediterranean passports excepted) shall, previous to such entry, be produced to the collector, with whom such entry is to be made, and shall remain in his office; and on the clearance of such vessel, the register and other documents shall be returned to the master or owner of such vessel.

Sec. 65. Where any bond for the payment of duties shall not be satisfied on the day it became due, the collector shall, without delay, cause a prosecution to be commenced for the recovery of the money; and in all cases of insolvency, or where any estate in the hands of the executors, administrators, or assignees, shall be insufficient to pay all the debts due from the deceased, the debt or debts due to the United States, on any such bond or bonds, shall be first satisfied; and any executor, administrator, or assignees, or other person, who shall pay any debt due by the person or estate from whom, or for which, they are acting, previous to the debt or debts due to the United States from such person or estate being first duly satisfied and paid, shall become answerable in their own person and estate, for the debt or debts so due to the United States, or so much thereof as may remain due and unpaid: and actions or suits at law may be commenced against them for the recovery thereof: Provided, that in all cases in which suits or prosecutions shall be commenced for the recovery of duties or pecuniary penalties prescribed by the laws of the United States, the person or persons against whom process may be issued, shall and may be held to special bail, subject to the rules and regulations which prevail in civil suits in which special bail is required: And provided also, that if the principal in any bond, which shall be given to the United States for duties, or other penalty, either by himself, his factor, agent, or other person for him, shall be insolvent, or if his or her estate, which shall come to the hands of his or her executors, administrators, or assignees, shall be insufficient for the payment of his or her debts, and if in either of the said cases, any surety on the said bond or bonds, or the executors, administrators, or assignees of such surety shall pay to the United States the money due upon such bond or bonds, such surety, his or her executors, administrators, or assignees, shall have and enjoy the like advantage, priority, or preference for the recovery and receipt of the said moneys out of the estate and effects of such insolvent, or deceased principal, as are reserved and secured to the United States.—And the cases of insolvency mentioned in this section, shall be deemed to extend as well to cases in which a debtor, not having sufficient property to pay all his or her debts, shall have made a voluntary assignment thereof, for the benefit of his or her creditors, or in which the estate

and effects of an absconding, concealed, or absent debtor, shall have been attached by process of law, as to cases in which an act of legal bankruptcy shall have been committed. And where suit shall be instituted on any bond for the recovery of duties due to the United States, it shall be the duty of the court, where the same may be pending, to grant judgment at the return term, upon motion, unless the defendant shall, in open court, the United States attorney being present, make oath or affirmation that an error has been committed in the liquidation of the duties demanded upon such bond, specifying the errors alledged to have been committed, and that the same have been notified in writing to the collector of the district, prior to the commencement of the return term aforesaid: whereupon, if the court be satisfied, that a continuance until the next succeeding term, is necessary for the attainment of justice, and not otherwise, a continuance may be granted until next succeeding term and no longer. And on all bonds upon which suits shall be commenced, an interest shall be allowed at the rate of six per cent. per annum, from the time when said bonds become due, until the payment whereof.

The preference given to the United States by the above section, and the law of March 3d, 1797, overreaches the lien which a creditor acquires by a judgment on the land of the debtor.—2*d* Wheat. 396.

Though it does not extend to cases where the debtor has not made an assignment of his whole property, unless it should appear that a portion of it was left out for the purpose of evading the law.—*Ibid.*—3 *Cranch*, 73.

Neither does it extend to cases where the debtor is merely unable to pay, but where there is a known and legal insolvency manifested by some notorious act of the debtor.—8 *Cranch*, 431.

Duties do not accrue until the vessel arrive at the port of entry. Therefore, if a duty be increased or diminished by law, even after the arrival of the vessel in the collection district, but before her arrival at the port of entry, the increased or diminished duty only is to be paid. *U. S. vs. Vowell*.—5 *Cranch*, 368.

Goods brought into the United States by superior force or inevitable accident, are not deemed to be imported so as to be liable to pay duties. But if they are afterwards sold or consumed in the country, they become retroactively liable; otherwise, if they are exported.—The *Concord*, 9*th* *Cranch*, 387.

The collector may refuse a credit for duties upon goods imported, where the real owner, having a bond in the custom-house due and unpaid, has collusively transferred the property to a third person, in order to obtain a credit at the custom-house.—8 *Dall*, 308.

Sec. 74. All duties and fees to be collected shall be payable in money of the United States, or in foreign gold and silver coins, at the following rates, that is to say—the gold coins of Great Britain and Portugal of the standard prior to the year 1792, at the rate of 100 cents for every 27 grains of the actual weight thereof; the gold coins of France, Spain and the dominions of Spain, of the standard prior to the year 1792, at the rate of 100 cents for every 27 and two-fifths of a grain of the actual weight thereof; Spanish milled dollars at the rate of 100 cents for each dollar, the actual weight whereof shall not be less than 17 pennyweights and 7 grains, and in proportion for the parts of a dollar; crowns of France at the rate of 110 cents for each crown, the actual weight whereof shall not be less than 18 pennyweights and 17 grains, and in proportion for the parts of a crown. Provided, that no foreign coins shall be receivable which are not by law a tender for the payment of all debts, except in consequence of a proclamation of the President of the United States, authorizing such foreign coins to be received in payment of the duties and fees aforesaid.

Foreign moneys are valued at the custom-house at the following rates :

THOSE MARKED THUS * ARE FIXED BY LAW.

	<i>Am. currency.</i>
Antwerp, Amsterdam, Rotterdam, and all the Netherlands, F. or Guilder,	\$0 40*
Batavia,	Rix Dollar, 75
Bengal,	Sicca Rupee, 50*
Bombay,	do. 50
Bremen,	Rix Dollar, 75
Calcutta,	Rupee, 50*

China,	Tale,	1 48*
N. B. Invoices from China are invariably made in dollars and cents, which our custom-house rates the same as our own dollars and cents.		
Denmark,	Rix Dollar,	1 00*
Denmark, Blue Dollar, according to the rate of exchange on London; or to the value, at the moment, of Rix Dollars compared to Blue Dollars.		
England,	£ sterling,	4 44*
France,	Franc,	18½
	Livre, (which is no longer in use)	18½*
Halifax,	£	4 00
Hamburg,	Mark Banco,	33½*
	Rix Dollar,	1 00
Holland,	F. or Guilder,	40*
India,	Star Pagoda,	1 84*
Ireland,	£	4 10*
Italy,	Ounce,	2 40
Leghorn,	Pezzo,	90
	Livve,	15½
Portugal,	Mil Reas,	1 24*
Russia, Paper Rouble, is calculated according to the rate of exchange on London, at the time and place of shipment.		
	Silver Rouble,	75
Smyrna, Piastre, varies according to the rate of exchange on London, at Smyrna, at the time of shipment.		
Spain,	Real of Plate,	10*
	Real of Velon,	5*
	Another Real of Plate, or ½ of a dollar,	12½
Sweden,	Rix Dollar,	1 00
Trieste, Specie Florin, which is the specie Florin of Bohemia, and other parts of the Austrian dominions, (ascertained at the Treasury department)		
		48
Paper Florin of Trieste, and other parts of the Austrian dominions, varies according to its value, at the time, when compared with the Specie Florin, or with exchange on London.		

N. B.—The value of exchange on London, at the time and place of shipment, is the standard which the Treasury and the Collectors take, for most of the moneys not rated specifically by law.

By an act of 22d February, 1812, it is provided; that.

The same terms of credit which are granted by law for the payment of duties on articles the produce of the West Indies, and no other, shall be allowed on goods, wares, and merchandise, imported by sea into the United States, from all foreign ports and islands lying north of the equator, and situated on the eastern shores of America, or in its adjacent seas, bays, and gulfs.

By an act of 24th of July, 1813, it is enacted, that

It shall be lawful for the secretary of the treasury to place the collection of the duties on imposts and tonnage under the superintendence of the commissioner of the revenue, if, in his opinion, the public service will be promoted by transferring that duty from the comptroller to the said commissioner.

Part 11th. Drafts, tares, and allowances, for breakage, discount, &c.

TARES ALLOWED AT THE CUSTOM HOUSE.

Alum, in casks, 12 per cent.

Almonds, in bags, 4 per cent. in bales, 8 lb. each.

frails, 10 do. double do. 16 lb. each.

casks, 15 do.

cases, 8 do.

zeroons, 10 do.

Bristles, 12 per cent.

Candles, in boxes, 8 per cent. legal ton.

Cassia, Chinese, in boxes, 18 per cent.

in mats, 6 do.

Cassia, in mats, real tare, usually passed as 8 per cent.

- Cheese*, in boxes, 20 per cent. legal tare.
 casks, 15 do.
 hampers, 10 per cent. legal tare.
- Chocolate*, in boxes, 10 do. do.
- Cinnamon*, in chests, in boxes, 25 per cent. and in mats, real tare.
- Cloves*, in casks, 12 per cent.
 bags, 4 do.
- Cocoa*, in zeroons, 8 per cent.
- Coffee*, in bags, 2 per cent. legal tare.
 in double bags you must claim an additional tare from the collector, and he will then direct the additional bag to be re-weighed, and allow you an extra tare, equal to its weight.
 in bales, 3 per cent. legal tare.
 in zeroons, 6 per cent. custom house tare.
 in casks, 12 per cent. legal tare.
 in boxes, 15 per cent. legal tare.
 African, imported in the hull, has an extra tare allowed of 18 per cent. for the hull. You should claim it at the time you make your entry at the custom house.
- Cocoa*, in bags, 1 per cent. legal tare.
 in casks, 10 do. do.
 N. B. The real tare on cocoa in bags and casks is more than this. The invoice tare will, of course, be claimed in making the entry at the custom house.
 in zeroons, 11 per cent.
- Copperas*, 12 per cent.
- Cotton*, in bales, 2 per cent. legal tare.
 N. B. The tare on Indian cotton is, in fact, 4 per cent. You should, therefore, at the time you make your entry at the custom house, claim invoice tare.
 in zeroons, 6 per cent. legal tare.
- Currants*, in casks, 12 per cent.
 boxes, 12 do.
- Figs*, in boxes, 10 per cent.
 casks, 12 do.
 frails, 4 do.
 drums, 8 do.
- Fish*, dry, in casks or boxes, 12 per cent.
- Glue*, in casks, 20 per cent.
 in boxes, 15 per cent.
- Gun Powder*, 1-4 cask, 5 lb. each.
 half hundred, 300.
 whole, 2300.
- Hemp*, in bales, 5 per cent.—No allowance is made for bands.
- Indigo*, in bags, 3 per cent. legal tare.
 in barrels, 12 per cent. legal tare.
 in cases, 15 per cent. custom house tare.
 in hogsheads or other casks, not bls. 15 per cent. legal tare.
 in zeroons, 10 per cent. legal tare.
- Iron*, sheet, in boxes, 8 lb. each.
- Lead*, white, ground in oil, 8 per cent.
 dry, 6 per cent.
 red, dry, 5 per cent.
- Mace*, in casks, or boxes, 18 per cent.
- Nails*, in casks, 8 per cent. legal tare.
- Nutmegs*, in casks, 12 per cent.
 in bags, 4 per cent.
- Ochre*, yellow, in oil, 12 per cent.
 dry, 10 per cent.
- Pimento*, in bags, 3 per cent. legal tare.
 in casks, 16 per cent. legal tare.
 in mats, 5 per cent.
- Pepper*, in bags, 2 per cent. legal tare.
 in bales, 5 per cent. legal tare.
 in casks, 12 per cent. legal tare.
- Plums and Prunes*, in boxes, 8 per cent.
- Powder*, hair, in casks, 12 per cent.
 in boxes, 15 per cent.
- Quick Silver*, in bls. 7 per cent.

- Raisins*, in boxes, 15 per cent.
in jars, 18 lb. per jar.
in casks, 12 per cent.
in frails, 4 per cent.
in drums, 10 per cent.
Malaga, of the usual size, of about 112 lb. gross, are taken as 100 lb. net.
- Shot*, in casks, 3 per cent. legal tare.
in bags, $\frac{1}{2}$ per cent.
- Snuff*, in casks, 12 per cent.
in boxes, 15 per cent.
- Soap*, in boxes, 10 per cent. legal tare.—N. B. Invoice tare is generally claimed, because it is usually more than 10 per cent.
- Spikes*, 8 per cent.
- Starch*, in casks, 10 per cent.
- Steel*, in tubs, put up as usual, is taken at its real net weight of 112 lb.
in cases, 8 per cent.
in bundles, no allowance is made for bands.
- Sugar*, in bags, or mats, 5 per cent. legal tare.
in boxes, whether Brazil, Havana, or any other, 15 per cent. legal tare.
in canisters, 40 lb. each.
in zeroons, 8 per cent.
in casks, 12 per cent. legal tare.
- Sugar Candy*, in tubs, 15 per cent.
in baskets, 5 per cent.
in boxes, 10 per cent. legal tare.
- Tea*, bohea, in whole chests, 70 lbs. each, legal tare.
do. in half chests, 36 lb. each, legal tare.
do. in quarter chests, 20 lb. each, legal tare.
- Hyson, Hyson Skin*, and other green teas, in boxes of the usual size, of about 70 lb. gross, } 20 lb. each
Young Hyson, in chests of the common size, of about 80 lb. gross, }
Imperial Gunpowder and *Gomee*, in chests, of the usual size, of above 110a115 lb. gross, }
- Hyson, Young Hyson, Imperial Gunpowder*, and *Gomee*, in half chests, or in tea catty boxes.—Real tare ascertained by starting.
- Souchong, Campoy*, and *Congo*, in boxes, weighing over 80 lbs.—22 lbs. each, legal tare.
- Souchong, Campoy*, and *Congo*, in boxes, weighing 80 lbs. and under.—20 lb. each, legal tare.
- Tallow*, in casks, 12 per cent.
in tubs, 15 per cent.
in zeroons, 18 per cent.
- Tobacco*, manufactured, real tare.
- Twine*, in bales, 3 per cent. legal tare.
in casks, 12 per cent. legal tare.
in boxes, 15 per cent.
- Whiting*, or *Paris White*, 12 per cent.
- Wire*, real tare.

Allowance for Draft.

	lb.
Sec. 58. Any quantity of 1 cwt. or 112 lbs.	1
above 1 cwt. and under 2 cwt.	2
2 cwt. and under 3 cwt.	3
3 cwt. and under 10 cwt.	4
10 cwt. and under 18 cwt.	7
18 cwt. and upwards,	9

Allowances for Leakage and Breakage.

Importation in casks.—After gauging ale, beer, porter, brandy, gin, molasses, oil, rum, wine, and other liquors in casks, and taking off the real wants on landing, 2 per cent. more is deducted, before casting the duty. On this gauge, after deducting the wants on landing and the 2 per cent., you pay the duty, if you enter afterwards for home consumption, any wines or distilled spirits which you have stored in the custom-house stores for the benefit of drawback.

Importation in bottles.—On ale, beer, and porter, in bottles, 10 per cent. is deducted for breakage, before casting the duty. On wine and all liquors, other than ale, beer, and porter, 5 per cent. is deducted, before casting the duty. You have a right to claim real breakage on ale, beer, porter, wine, and all other liquors, instead of the 10 or 5 per cent. above named, and if you thus claim it, from the collector, at the time you make your entry at the custom-house, real breakage will be allowed you. This is quite important for any article subject to fermentation.

Unless you make such a claim, you will be charged with duty as follows:—

Per dozen of ale, beer, and porter, on $2\frac{3}{4}$ gallons, after having deducted either the 10 per cent. for breakage, or the real breakage—that is, on an invoice of 100 dozen you will, if you do not claim real breakage and real contents, be charged with a duty on 240 gallons.

Per dozen of wine, on $2\frac{1}{4}$ gallons, after having deducted either the 5 per cent. for breakage, or the real breakage.

On Empty Bottles,

Imported in hampers, no breakage is allowed, unless you claim it as damage at the time you make your entry at the custom-house: and if you thus claim it, the appraisers will be instructed to allow you the real breakage.

Empty bottles imported in bulk, are counted, and no duty is charged on the broken ones.

Discounts on Invoices.

In many places there are fixed prices for staple goods; and every year, a certain discount is agreed upon, as the standard discount. In such a case, the invoice must be made out at the short price.

The only discounts which are admitted to be entered, as discounts on the invoice, are such as the importer shall expressly state, on oath or affirmation, were actually and bona fide allowed to the owner or owners of the goods, in payment made for the same, before their shipment.

It is, therefore, necessary that the practice of introducing standard nominal prices should be discontinued, and that the invoices should exhibit the true value without any discount, except such as may be actually and bona fide allowed, in payment made for the goods.

No discount is allowed at the custom-house on account of the bounty paid by the British government upon linens exported from that country, unless the cost of the said linens does not exceed 18 pence sterling per yard.

Part 12th. Regulations for Clearing Vessels, and for the Exportation of Goods.

Sec. 93. The master of any vessel, bound to a foreign port or place, shall deliver to the collector of the district from which such vessel shall be about to depart, a manifest of all the cargo on board, and the value thereof, by him subscribed, and shall swear, or affirm to the truth thereof; whereupon the said collector shall grant a clearance for such vessel and her cargo, but without specifying the particulars thereof in such clearance, unless required by the said master so to do. And if any vessel, bound to a foreign port or place, shall depart on her voyage, without delivering such manifest, and obtaining a clearance as hereby required, the said master of such vessel shall forfeit and pay the sum of five hundred dollars for every such offence.

And the form of the report and manifest, to be delivered as aforesaid, shall be as follows:—

REPORT and manifest of the cargo, laden at the port of
master, bound for port on board the

Marks.	Numbers.	Packages, or articles in bulk.	Contents, or quantities.	Value at the port of exportation.

And the oath or affirmation, to be taken by the master or commander of the ship or vessel as aforesaid, shall be as follows :—

District of

I (insert the name) master or commander of the (insert the denomination and name of the vessel) bound from the port of (insert the name of the port or place sailing from) to (insert the name of the place or port, bound to) do solemnly, sincerely, and truly swear (or affirm as the case may be) that the manifest of the cargo on board the said (insert denomination and name of the vessel) now delivered by me to the collector of this district, and subscribed with my name, contains, according to the best of my knowledge and belief, a full, just, and true account of all the goods, wares, and merchandise now actually laden on board the said vessel, and of the value thereof: and if any other goods, wares, or merchandise, shall be laden or put on board the said (insert denomination and name of vessel) previous to her sailing from this port, I will immediately report the same to the said collector. I do also swear (or affirm) that I verily believe the duties on all the foreign merchandise therein specified have been paid or secured, according to law, and that no part thereof is intended to be re-landed within the United States, and that if by distress or other unavoidable accident it shall become necessary to re-land the same, I will forthwith make a just and true report thereof to the collector of the customs of the district wherein such distress or accident may happen. And I further swear, that the said merchandise is truly intended to be landed at

So help me God.

And the form of a clearance, to be granted to a ship or vessel on her departure to a foreign port or place, shall be as follows :

District of Port of

These are to certify all whom it doth concern, that master or commander of the burthen tons, or thereabouts, mounted with guns, navigated with men built, and bound for having on board hath here entered and cleared his said vessel according to law.
Given under our hands and seals, at the custom-house of this day of one thousand and in the year of the independence of the United States of America.

Provided, any thing to the contrary notwithstanding, that the collectors and other officers of the customs, shall, and they are hereby directed to pay due regard to the inspection laws of the states in which they may respectively act, in such manner, that no vessel having on board goods liable to inspection, shall be cleared out until the master, or other proper person, shall have produced such certificate that all such goods have been duly inspected, as the laws of the respective states may require to be produced to collectors or other officers of the customs. And provided, That receipts for the payment of all legal fees which shall have accrued on any ship or vessel shall, before any clearance is granted, be produced to the collector or other officer aforesaid.

By the act to obtain accurate statements of the foreign commerce of the United States, passed February 10th, 1820. it is provided, that

Sec. 11. Before a clearance shall be granted for any vessel bound to a

foreign place, the owners, shippers, or consignors, of the cargo on board of such vessel, shall deliver to the collector manifests of the cargo, or the parts thereof shipped by them respectively, and shall verify the same by oath or affirmation; and such manifests shall specify the kinds and quantities of the articles shipped by them respectively, and the value of the total quantity of each kind of articles; and such oath or affirmation shall state, that such manifest contains a full, just, and true account of all articles laden on board of such vessel by the owners, shippers, or consignors, respectively, and that the values of such articles are truly stated, according to their actual cost, or the values which they truly bear at the port and time of exportation; and, before a clearance shall be granted for any such vessel, the master of every such vessel, and the owners, shippers, and consignors, of the cargo, shall state upon oath or affirmation, to the collector, the foreign place or country in which such cargo is truly intended to be landed; and the said oaths or affirmation shall be taken and subscribed in writing.

(CIRCULAR.)

Treasury Department—Register's Office, Feb. 14, 1821.

Sir—As a difference of opinion exists, in relation to the mode of ascertaining and stating the value of foreign goods exported, when entitled to drawback, I have to request, that the value of such goods, and the amount of such proportion of them as may be entitled to drawback, may be stated upon the following principles:

When foreign goods, entitled to drawback, are exported, by the merchant who imported them, the amount of the drawback should be deducted from the cost, including freight, charges, duties, &c. The remainder, being what the merchant actually pays for the goods, should be stated as the value of the foreign articles so exported.

When foreign goods, entitled to drawback, are exported, by any other than the merchant who imported them, the price paid for them, less by the amount of the debenture payable on their re-exportation, should be considered as the value.

With respect to the amount as regards the value of foreign goods exported, and entitled to drawback, to be stated at the foot of the abstract, the same rule should govern,—for instance, if the value of an article, entitled to drawback, is, upon the above-mentioned principle, set down at \$100, the same amount should be at the foot;—if articles of the same kind are re-exported, amounting to \$100, and one half only are entitled to drawback, \$50 should be stated as the amount so entitled, without any reference, in either instance, to the value set on the article when first imported for the purpose of securing the duties.

I am, Sir, with great respect,

Your obedient servant,

JOSEPH NOURSE, *Register.*

(EXAMPLE.)

	COTTON,—PIECE GOODS.	
	Printed and coloured.	White.
	Dollars.	Dollars.
Total amount exported,	35,329.	37,217
Exported, entitled to drawback	17,664 50	37,217
Exported, not entitled to drawback	17,664 50	"

The following table from De Grand will enable every merchant to make out his outward entry and manifest conformable to the general plan of the sury.

To each article exported is to be affixed the actual value of the quantity shipped, expressed in federal currency, at the time and place of exportation.

As to exports of foreign produce, the returns to the treasury are entirely conformable to the above plan, changing, of course, the words relative to imports into words for exports.

For domestic produce, the following is the treasury form of quarterly returns; and your outward entry, as well as your outward manifest, is to be made to conform to it.

Abstract of Goods, Wares, and Merchandise, of the growth, produce, and manufacture of the United States, exported from the district of in vessels commencing the and ending the

Whither Exported.

[The same countries as designated in the table for imports.]

Fish.—Dried or smoked—No. of quintals and value.—Pickled—No. of barrels and No. of kegs, and value.

Oil.—Spermaceti—whale and other fish—No. of gallons of each kind and value.

Whale—Bone.—No. of lbs. and value.

Spermaceti Candles.—No. of lbs. and value.

Wood.—Staves and Heading—Shingles—No. of M.—Boards, Plank, and Scantling—No. of feet—Hewn Timber—No. of tons—Value.

Other Lumber.—Masts and Spars—Oak, Bark, and other Die—all manufactures of.—Value.

Naval Stores.—Tar and Pitch—Rosin and Turpentine.—No. of barrels of each, and value.

Ashes—Pot and Pearl.—No. of tons and value.

Skins and Furs.—Value.

Ginseng.—No. of lbs. and value.

Beef.—No. of barrels and value.

Tallow.—No. of lbs. and value.

Hides—Horned Cattle.—No. of each and value.

Butter—Cheese.—No. of lbs. of each kind, and value.

Pork.—No. of barrels and value.

Hams and Bacon—Lard.—No. of lbs. and value of each.

Hogs—No. of, and value.

Horses—Mules.—No. of each and value.

Sheep—No. of, and value.

Wheat.—No. of bushels and value.

Flour.—No. of barrels and value.

Indian Corn.—No. of bushels and value.

Meal.—Indian—Rye.—No. of barrels and value of each.

Rye—Oats—and all other small grain and pulse.—Value.

Biscuit or Ship Bread.—No. of barrels and No. of kegs—value.

Potatoes.—No. of bushels and value.

Apples.—No. of barrels and value.

Rice.—No. of tierces and value.

Indigo.—No. of lbs. and value.

Cotton.—Sea Island—other.—No. of lbs. of each and value.

Tobacco.—No. of hhds. and value.

Flaxseed.—No. of bushels and value.

Hops.—No. of lbs. and value.

Wax.—No. of lbs. and value.

Household Furniture—Coaches—and other carriages—Hats—Saddlery.—Value.

Beer, Porter, and Cider.—In casks—No. of gallons.—Bottled—No. of dozens.—Value

Spirits—from grain.—No. of gallons and value.

Leather.—No. lbs. and value.

Boots—Leather Shoes.—No. of pairs and value of each.

Tallow Candles—Soap.—No. of lbs. and value of each.
Snuff—Tobacco manufactured.—No. of lbs. and value of each.
Linseed Oil.—No. of gallons and value.
Spirits of Turpentine.—No. of gallons and value.
Brown Sugar.—No. of lbs. and value.
Cables and Cordage.—No. of cwt. and value.
Lead.—No. of lbs. and value.
Iron.—Pig—Bar—No. of tons and value.
Nails.—No. of lbs. and value.
Castings.—All manufactures of Iron, or Iron and Steel.—Value.
Spirits from Molasses.—No. of gallons and value.
Sugar Refined.—No. of lbs. and value.
Chocolate.—No. of lbs. and value.
Gunpowder.—No. of lbs. and value.
Copper and Brass and Copper manufactured—Medicinal Drugs.—Value of each.
Merchandise, and all other articles, not enumerated—Manufactured.—Value.
Raw Produce.—Value.
Total value of the goods exported to each country—in dollars and cents.

Owner, Shipper, or Consigner's Manifest.

Manifest of the Cargo, shipped by
master, for

in the

1822.

Marks.	Numbers.	Packages and Kinds.	Quantities.	Value of Articles at this port.

District of

Port of

I do solemnly to the best of my knowledge and belief,
 that the within manifest, contains a full, just, and true account of all articles laden on
 board the within named vessel, by and that the articles are truly
 stated, according to their actual value, which they truly bear at this port, and time, and
 that the said articles are truly intended to be landed in the of
 So HELP ME GOD.

to this
Before me

Collector. }

N. B.—Each shipper is to make out and sign such a manifest as this, to swear to it before the collector; and having duly sworn to it, take it to the clearance clerk.

Previous to obtaining a clearance, you must bring a certificate from the state inspector for all articles subject to inspection by the laws of the state from which the shipment is made.

By an act passed may 7th, 1822, goods exported from Florida are subject to the same regulations as when exported from other territories of the United States, except as to drawback, chapter on which see.

Part 13th. Regulations for foreign vessels.

Foreign vessels are not allowed to carry on the coasting trade, but they may proceed from port to port with a certified manifest for the purpose of delivering such parts of the cargo as were originally destined for those ports.

Foreign vessels placed on the same footing as American vessels, and circumstances under which they are so placed, as follows, viz.

British vessels from British ports in Europe, are to pay no more tonnage duty than American vessels.—Nor are the goods of the growth, produce, or manufacture of British ports in Europe to pay any more duty, when imported in British vessels, from such ports, than when imported in American vessels.

Vessels of Prussia, the Netherlands, Hamburg, and Bremen, are to pay the same tonnage as American vessels. Goods imported, by such vessels, direct from the European ports of those respective countries, and which are of the growth, produce, or manufacture of such countries, or which are usually first shipped from them, are to pay no higher duties, than if imported in American vessels.

Swedish or Norwegian vessels arriving in ballast, or importing into the United States the produce or manufactures of their countries, or exporting from the United States the produce or manufactures of said states, shall not be obliged to pay, either for the vessels or the cargoes, any other or higher duties, imposts, or charges, whatsoever, than those which the vessels of the United States would pay, in the same circumstances; and, vice versa, the vessels of the United States, arriving in ballast, or importing into the territories under the dominion of his Majesty, the king of Sweden and Norway, the produce or manufactures of the United States, or exporting from the territories under the dominions of his majesty, the king of Sweden and Norway, the produce or manufactures of these territories, shall not pay, either for the vessels or the cargoes, any other or higher duties, imposts, or charges, whatsoever, than those which would be paid, if these articles were transported by Swedish or Norwegian vessels, respectively.

These privileges also extend to the Swedish colony of St. Barthelemy, as well in what relates to the rights and advantages which the vessels of the United States shall enjoy in its ports, as in relation to those which the vessels of the colony shall enjoy in the ports of the United States, provided the owners are inhabitants of St. Barthelemy, and there established and naturalized, and shall have there caused their vessels to be naturalized."

American vessels and their cargoes enjoy in the British ports in Europe, in Prussia, the Netherlands, Hamburg, Bremen, Sweden, and St. Barts, privileges similar to those enjoyed in the United States by the vessels of those nations; which privileges are above described.

Foreign vessels, coming from the port where the flag of the United States is not usually admitted, are not allowed to come to an entry in the United States.

Importations by all foreign vessels, which are not placed on the same footing as American vessels, are subject to an additional duty of 10 per cent.; for instance, if the duty, by an American vessel, is 15, the duty, by such foreign vessel, will be 16½. This is the case for all articles except teas; and the difference of duties on teas will be found in the tariff. No drawback is allowed on this additional duty.

Vessels of Great Britain and Sweden.

TREASURY DEPARTMENT.—29th Sept. 1819.

(CIRCULAR.)

SIR: Enclosed you will receive a copy of the act of congress "Concerning the Navigation of the United States," passed the 1st day of March last, which is to take effect on the 1st day of October next;

The first section of the act makes an important change in the commerce of such foreign nations with the United States, as have in force regulations of a similar nature.

To secure uniformity in the execution of this measure, and to render the change imposed by it, as convenient to those whose interests are to be affected, as the provisions of the act will admit, the term country, in the first section, is considered as embracing all the possessions of a foreign state, however widely separated, which are subject to the same supreme executive and legislative authority. The productions and manufactures of a foreign state, and of its colonies, may be imported into the United States in vessels owned by the citizens or subjects of such state, without regard to their place of residence within its possessions. Gold and silver coin, and bullion, are not considered goods, wares, or merchandise, within the meaning of the act; and may, therefore, be imported in-

to the United States in foreign vessels, without regard to the place of production or coinage.

A list of foreign states known to have in force regulations which subject them to the operation of this act, is subjoined.

To ensure uniformity in the execution of the 3d, 5th, and 6th sections of the act, it is expedient that, in all cases where proof is exhibited, on oath, according to their provisions, the witnesses should be cross-examined by the collector, whose duty it is to decide, for the purpose of avoiding imposition and detecting evasion.

I have the honour to be

Your most obedient

and very humble servant,

WM. H. CRAWFORD.

By an act passed February 14, 1805, it is enacted, that

Whenever any Spanish vessel shall arrive in distress in any port of the United States, having been damaged on the coasts, or within the limits of the United States, and her cargo shall have been unladen, in conformity with the provisions of the sixtieth section of the act, entitled "An act to regulate the collection of duties on imports and tonnage," the said cargo, or any part thereof, may, if the said ship or vessel should be condemned as not seaworthy, or be deemed incapable of performing her original voyage, afterwards be reladen on board any other vessel or vessels, under the inspection of the officer who superintended the landing thereof, or other proper person. And no duties, charges, or fees, whatever, shall be paid on such part of the cargo, as may be reladed and carried away, either in the vessel in which it was originally imported, or in any other whatever.

This provision was made in consequence of the stipulations contained in the tenth article of the treaty between the United States and Spain.

Sec. 104. For the purpose of conforming this act to certain stipulations contained in treaties made and ratified under the authority of the United States, it is hereby declared, that it shall at all times be free to British subjects, and also to the Indians dwelling on either side of the boundary line of the United States, as settled by the treaty of peace, freely to pass and repass, by land or inland navigation, into and from the territories of the United States, and to navigate all the lakes, rivers, and waters thereof, and freely to carry on trade and commerce with the citizens of the United States; Provided, That nothing herein contained shall be construed to justify the admission of British vessels from the sea into the rivers of the United States, beyond the highest ports of entry for foreign vessels from the sea; and all goods and merchandise, the importation of which into the United States shall not be wholly prohibited, shall and may freely, for the purposes of commerce, be brought into the same, in manner aforesaid, by British subjects, from the territories of the king of great Britain, in America; and such goods and merchandise shall be subject to no higher or other duties, than are or shall be payable by the citizens of the United States, on the importation of the same in American vessels into the atlantic ports of the United States: And all goods, not prohibited to be exported from the United States, may, in manner aforesaid, be carried out of the United States into the territories aforesaid.—Law of March 30th 1822.

Part 14th. Duties of Custom-House Officers.

The act of March 2d, 1799, provides,

Sec. 20. That all officers and persons to be appointed pursuant thereto, before they enter upon the duties of their respective offices, shall severally take and subscribe an oath or affirmation, diligently and faithfully to execute the duties of their said offices respectively, which oath or affirmation shall be of the form and tenor following, to wit:—

I, A. B. having been appointed (collector or other officer, as the case may be) of the district or port of) do solemnly, sincerely, and truly (swear or affirm) that I will dili-

gently and faithfully execute the duties of the said office of _____ and will use the best of my endeavours to prevent and detect frauds in relation to the duties imposed by the laws of the United States. I further (swear or affirm) that I will support the constitution of the United States.

(Sworn or affirmed) and subscribed this
day of _____ before me,

And the oath or affirmation aforesaid, if taken by a collector, may be taken before any magistrate authorized to administer oaths within the district to which he belongs; but if taken by another officer, shall be taken before the collector of his district; and being certified under the hand and seal of the person by whom the same shall have been administered, shall within three months thereafter be transmitted to the comptroller of the treasury; in default of taking of which oath, or transmitting a certificate thereof, the party failing shall forfeit and pay two hundred dollars.

Sec. 21. The several officers of the customs shall respectively perform the duties following, to wit: At such of the ports to which there shall be appointed a collector, naval officer and surveyor, the collector shall receive all reports, manifests, and documents to be made or exhibited on the entry of any vessel, according to the regulations of this act; shall record, in books to be kept for that purpose, all manifests; shall receive the entries of all vessels and of the merchandise imported in them; shall together with the naval officer, where there is one, or alone where there is none, estimate the amount of the duties payable thereupon, endorsing the said amount upon the respective entries; shall receive all monies paid for duties, and take all bonds for securing the payment thereof; shall grant all permits for the unloading and delivery of goods; shall, with the approbation of the principal officer of the treasury department, employ proper persons as weighers, gaugers, measurers, and inspectors, at the several ports within his district; and also, with the like approbation, provide, at the public expense, store-houses for the safe keeping of goods, and such scales, weights, and measures, as may be necessary; the naval officer shall receive copies of all manifests and entries, and shall, together with the collector, estimate the duties on all merchandise subject to duty (and no duties shall be received without such estimate) and shall keep a separate record thereof, and shall countersign all permits, clearances, certificates, debentures, and other documents, to be granted by the collector; he shall also examine the collector's abstracts of duties, and other accounts of receipts, bonds, and expenditures, and if found right, he shall certify the same.

The surveyor shall superintend and direct all inspectors, weighers, measurers, and gaugers, within his port, and shall, once every week, report to the collector the name or names of such inspectors, weighers, gaugers, or measurers, as may be absent from or neglect to do their duty, shall visit or inspect the vessels which arrive therein, and shall make a return in writing every morning to the collector, if any, at the port where he resides, of all vessels which shall have arrived from foreign ports or places the preceding day, specifying the names and denominations of the vessels, the masters' names, from whence arrived, whether laden or in ballast, whether belonging to the United States, or to what other nation belonging, and if American vessels, whether the masters thereof have or have not complied with the law, in having the required number of manifests of the cargo on board, agreeing in substance with the provisions made necessary by this act, and shall have power, and is hereby required, to put on board each of such vessel one or more inspectors, immediately after their arrival in his port; the surveyor shall also ascertain the proof, quantities, and kinds of distilled spirits imported, rating such spirits according to their respective degrees of proof as defined by the laws imposing duties on spirits: he shall likewise examine and ascertain the quality, kind, and quantity of all wines imported; also the quantity and kind of all teas and sugars imported; and shall grant certificates for the said spirits, wines, and teas, and make returns thereof, in manner hereafter provided. He shall also examine whether the goods imported in any vessel, and the deliveries thereof, agreeably to the inspector's returns thereof, correspond with the permits for landing the same; and if any error or disagreement appear, he shall report the same to the collector, and to the naval officer, if any there be. The surveyor shall also super-

intend the lading, for exportation, of all goods entered for the benefit of any drawback, bounty, or allowance, and shall examine and report, whether the kind, quantity, and quality of the goods, so laden on board any vessel for exportation, correspond with the entries and permits granted therefor. He shall also, from time to time, and particularly on the first Mondays in January and July, in each year, examine and try the weights, measures, and other instruments, used in ascertaining the duties on imports, with standards to be provided by each collector, at the public expense, for that purpose; and where disagreements or errors are discovered, he shall report the same to the collector, and obey and execute such directions as he may receive for correcting thereof, agreeably to the standards aforesaid; and the said surveyor shall, in all cases, be subject to the direction of the collector. And at ports to which a collector and surveyor only are assigned, the said collector shall solely execute all the duties in which the co-operation of the naval officer is requisite, at the ports where a naval officer is appointed; which he shall also do in case of the disability or death of the naval officer, until a successor is appointed, unless there is a deputy duly authorized under the hand and seal of the naval officer, who, in that case, shall continue to act until an appointment shall take place. And at the ports to which a collector only is assigned, such collector shall solely execute all the duties in which the co-operation of the naval officer is requisite as aforesaid, and shall also, as far as may be, perform all the duties prescribed to the surveyors at the ports where such officers are established. And at the ports to which surveyors only are assigned, every such surveyor shall perform all the duties herein before enjoined upon surveyors; and shall also receive and record the copies of all manifests which shall be transmitted to him by the collector; shall record all permits granted by such collector, distinguishing the gauge, weight, measure, and quality of the goods specified therein, and shall take care that no goods be unladen or delivered from any vessel without a proper permit for that purpose. And at such ports of delivery only to which no surveyor is assigned, it shall be lawful for the collector of the district, from time to time, to employ a proper person to do the duties of a surveyor, who shall be entitled to the like compensation with inspectors during the time they shall be employed. And the said collectors, naval officers, and surveyors, shall respectively attend in person at the ports to which they are respectively assigned; and shall keep fair and true accounts and records of all their transactions, as officers of the customs, in such manner and form as may, from time to time, be directed by the proper department; and shall at all times submit their books, papers, and accounts, to the inspection of such persons as may be appointed for that purpose; and the said collector shall at all times pay to the order of the officer, who shall be authorized to direct the payment thereof, the whole of the moneys which they may respectively receive by virtue of this act (such moneys as they are otherwise by this act directed to pay only excepted) and shall, once in every three months, or oftener if they shall be required, transmit their accounts for settlement to the officer or officers whose duty it shall be to make such settlement; and if any collector, naval officer, or surveyor, shall omit to keep fair and true accounts as aforesaid, or shall refuse to submit forthwith their books, papers, and accounts to inspection as aforesaid; or if any collector shall omit or refuse to render his accounts for settlement, for a term exceeding three months after the same shall have been required by the proper officer, in each and every such case the delinquent officer shall forfeit and pay, for the use of the United States, one thousand dollars, to be recovered with costs of suit.

Sec. 22. Every collector, naval officer, and surveyor, in cases of occasional and necessary absence, or of sickness, and not otherwise, may respectively exercise and perform their several functions, powers, and duties by deputy, duly constituted under their hands and seals respectively, for whom, in the execution of their trust, they shall respectively be answerable. That in case of the disability or death of a collector, the duties and authorities vested in him shall devolve on his deputy, if any there be at the time of such disability or death, for whose conduct the estate of such disabled or deceased collector shall be liable; and in defect of a deputy, the said authorities and duties shall devolve upon the naval officer of the same district, if any there be; and if there be no naval officer, upon the surveyor of the port appointed for the residence of such disabled

or deceased collector, if any there be, and if none, upon the surveyor of the port nearest thereto and within the said district. And in every case of the disability or death of a surveyor, it shall be lawful for the collector of the district to nominate some fit person to perform his duties, and exercise his authorities; and the authorities of the persons who may be empowered to act in the stead of those who may be disabled or dead, shall continue until successors shall be duly appointed, and ready to enter upon the execution of their respective offices.

The duties of surveyors and officers of inspection, concerning teas, distilled spirits, and wines, will be found in part 6th, page 296, et seq.

Sec. 70. It shall be the duty of the several officers of the customs to make seizure of, and secure any vessel or merchandise which shall be liable to seizure by virtue of this or any other act of the United States, respecting the revenue, as well without as within their respective districts.

Sec. 71. If any officer or other person, executing or aiding or assisting in the seizure of goods, shall be used or molested for any thing done in virtue of the powers given by this act, or by virtue of a warrant granted by any judge or justice, pursuant to law, such officer or other person may plead the general issue, and give this act and the special matter in evidence; and if in such suit the plaintiff is nonsuited, or judgment pass against him, the defendant shall recover double costs; and in actions, suits, or informations, to be brought, where any seizure shall be made pursuant to this act, if the property be claimed by any person, in every such case, the *onus probandi* shall be upon such claimant.—And if any person shall forcibly resist, prevent, or impede any officer of the customs, or any person assisting them, in the execution of their duty, such person shall, for every such offence, be fined in a sum not exceeding four hundred dollars.—And if any master of a vessel, coming into or arriving at any port or place within the United States, shall obstruct or hinder, or shall be the cause or means of any obstruction or hindrance with such an intent, to any officer of the customs or revenue, in going on board such vessel, for the purpose of carrying into effect any of the revenue laws of the United States, he shall forfeit, for every such offence, a sum not exceeding five hundred dollars, nor less than fifty dollars; but the *onus probandi* shall lie on the claimant only where probable cause is shown for such prosecution, to be judged of by the court before whom the prosecution is had.

Sec. 72. The weighers, gaugers, and measurers, employed in the service of the revenue, shall, within three days after any vessel is discharged, make returns of the articles by them respectively weighed, gauged, or measured, out of such vessel—And the form of the return to be made by the weighers respectively, shall be as follows:—

Return of (here insert the number of packages and contents) weighed from on board the (here insert the denomination and name of the vessel) whereof (insert the name) is master, from (insert the port or place from which arrived.)

Date of vessel's entry.	To whom consigned as per permit.	Marks.	Numbers.	Packages.	Contents and quality.	Weight.	Tare as allowed by law.	Tare as marked on the packages.	Amount of drafts.

District of
Port of

A. B. Weigher.

And the form of the return, to be made by the gaugers respectively, shall be as follows :

Return of (here insert the number of casks and packages) gauged from on board the (here insert the denomination and name of the vessel) whereof (insert the name) is master, from (insert the port or place from which arrived.)

Date of vessel's entry.	To whom consigned as per permit.	Marks.	Numbers.	Casks or Packages.	Contents and quality as marked by the inspector of the revenue.	Gauge.	Wantage.	What casks empty or taken to fill up others.

District of
Port of

C. D. Gauger.

And the form of the return, to be made by the measurers respectively, shall be as follows :

Return of the (here insert salt or coal as the case may be) measured from on board the (here insert the denomination and name of the vessel) whereof (insert the name) is master, from (insert the port or place from which arrived.)

Date of vessel's entry.	To whom consigned as per permit.	Number of bushels in words at length.	Quality, whether salt or coal.	Average weight of salt per bushel.

District of
Port of

E. F. Measurer.

And the said returns shall be made by the weighers, gaugers, and measurers, in books to be prepared by them for that purpose, and kept in the custom-house.

Sec. 53. It shall be lawful for the collector of any district at which any ship or vessel may arrive, and immediately on her first coming within such district, and for the surveyor of any port where such ship be; to put and keep on board such ship or vessel, whilst remaining within such district, or in going from one district to another, one or more inspectors to examine the cargo, or contents of such ship or vessel, and to superintend the delivery thereof, and to perform such other duties, according to law, as they shall be directed ; Provided, That collectors only shall have power to put on board ships or vessels, inspectors to go from one district to another ; and the said inspector or inspectors, shall make known to the person having the charge or command of such ship or vessel, the duties he or they, is or are, so to perform ; and shall suffer no goods, wares, or merchandise of any nature or kind whatsoever to be landed or unladen, or otherwise taken or removed from such ship or vessel, without a permit in writing from the collector of the port, and naval officer thereof, where any, first had and grant-

ed for that purpose—and the inspector aforesaid shall enter in a book, the name or names of the person or persons in whose behalf such permits are granted, together with the particulars therein specified, and the marks, numbers, kinds, and description of the respective packages, which shall be unladen pursuant thereto, and shall keep a like account in said book of all merchandise, that have been sent to the store or warehouse, provided for the reception of such merchandise: which book shall be delivered to the surveyor in the month of January in every year for his inspection, and immediately after such inspection, be transmitted by the surveyor, with such observations as he may think necessary thereon, to the collector, to be deposited in his office. And it shall be the duty of the said inspector or inspectors, to attend to the delivery of the cargo or cargoes under their care, at all times when the unloading or delivery is lawful, particularly from the rising till the setting of the sun on each day, Sundays and the Fourth day of July in each year excepted; for which purpose they shall constantly attend and remain on board the vessel or vessels, the deliveries from which they are to superintend, or at any other stations where their inspection is necessary—And said inspector or inspectors shall not quit such stations or places, without the leave of the surveyor of the port first had and obtained for that purpose, who shall appoint another inspector (if he shall judge it necessary) to supply the place of such inspector or inspectors, during his or their absence; and any inspector, who shall neglect or in any manner act contrary to the duties hereby enjoined, shall for the first offence forfeit and pay the sum of fifty dollars, and for the second offence, shall be displaced, and be incapable of holding any station of trust or profit under the revenue laws of the United States, for a term not exceeding seven years. And no inspector or inspectors shall perform any other duties or service, on board any ship or vessel, the superintendence of which is committed to him or them, for any person or persons whatever, other than what is required by this act, under the penalty of being disabled from acting any longer as an inspector of the customs; and the wages or compensation of such inspector or inspectors, as may proceed from one district to another, shall be defrayed by the master of the vessel committed to his or their care; and every officer of the revenue, while performing any duty on board any vessel, not in a port of the United States, discharging her cargo, shall be entitled to receive from the master such provisions and accommodations as are usually supplied to passengers, or as the state and condition of such vessel will admit, on receiving therefor fifty cents per diem; and any master, who shall refuse provisions and reasonable accommodations as aforesaid, shall forfeit and pay one hundred dollars.

Sec. 54. It shall be lawful for all collectors, naval officers, surveyors, inspectors, and the officers of the revenue cutters, hereinafter mentioned, to go on board of ships or vessels in any port of the United States, or within four leagues of the coast thereof, if bound to the United States, whether in or out of their respective districts, for the purposes of demanding the manifests aforesaid, and of examining and searching the said ships or vessels; and the said officers respectively shall have free access to the cabin and every other part of a ship or vessel; and if any box, trunk, chest, cask, or other package shall be found in the cabin, steerage, or fore-castle of such ship or vessel, or in any other place separate from the residue of the cargo, it shall be the duty of the said officer to take a particular account thereof, and of the marks and numbers, and a description thereof, and if he shall judge proper, to put a seal or seals thereon; and such an account and description shall be by him forwarded without delay to the collector of the district to which such ship or vessel is bound. And if upon her arrival at the port of her entry, the boxes, trunks, chests, casks, or other packages so described, or any of them, shall be missing, or if the seals put thereon be broken, the master or commander of such ship or vessel shall forfeit and pay for every such box, trunk, chest, cask, or other package so missing, or of which the seals shall be broken, the sum of two hundred dollars. And it shall also be lawful for the inspectors who may be put on board of any vessel, (and they are hereby required and enjoined so to do) to secure after sunset in each evening, or previous to their quitting the ship or vessel, the hatches and other communications with the hold of such ship or vessel, or any other part thereof, or they may judge necessary, with locks or other proper fastenings, which

locks or other fastenings shall not be opened, broken, or removed until the morning following, or after the rising of the sun, and in the presence of the inspector or inspectors, by whom the same shall have been so affixed, except by special license first had and obtained. And if the said locks or other fastenings, or any of them shall be broken or removed, during the night, or before the said rising of the sun, or without the presence of the said inspector or inspectors, or without such license first had and obtained, or if any goods or packages shall be clandestinely landed, notice thereof shall be immediately given by the inspector or inspectors, to the collector and naval officer of the district, port, or place, where the vessel may be; and the master of any such vessel, shall, for each or every of the offences aforesaid, forfeit and pay the sum of five hundred dollars.

Sec. 55. When the delivery of merchandise shall have been completed, copies of the accounts or entries, which shall have been kept or made thereof, by the officer or officers who shall have been charged with the said deliveries, shall be returned to the collector of the district and naval officer of the same, if any there be, within three days after such delivery hath been completed, if at the port where such officer or officers reside, and if at any other port, as soon as the nature of the case will admit, not exceeding fifteen days; and the accounts or entries to be returned as aforesaid, shall comprise all deliveries made pursuant to permits aforesaid, and all packages or merchandise sent to the public stores; also each and every package remaining on board of such vessel, for the purpose of being exported therein, to a foreign port or place, or to some other district of the United States. And the returns of the inspectors, to be made as aforesaid, shall be according to the following form—namely;

Return of merchandise, unladen under my inspection, pursuant to permits for that purpose, from on board the (insert the names of the vessel and master) from (insert the port from which the vessel arrived.)

When delivered or sent to store.	Dates of permits.	Marks.	Numbers.	Description of packages.	Contents.	To whom delivered, or whether sent to store, or remaining on board.	Remarks.

And the returns to be made as aforesaid, shall be signed by the inspectors; and after examination, and being found correct, said returns shall be countersigned or certified by the surveyor, if any there be, at the port where the deliveries have been made; and the said returns shall be transmitted by him to the naval officer, if any there be, who shall compare the same with the manifests and entries in his possession; and if any difference shall appear, the particulars thereof shall be noted by endorsement on the said returns, and if no difference shall appear, it shall be so noted by like endorsements,—and transmit the same to the collector of the district; and on being returned to the collector, it shall be by him compared with the manifests and entries of such goods, wares, or merchandise, which shall have been made by the owner or owners, consignee, or consignees, or his or their factor or agent; and if any difference shall appear, the same shall be noted by endorsement on such manifests, specifying the particulars thereof; and if no difference shall appear, it shall be noted by like endorsement that the delivery hath corresponded with the entry or entries thereof; which endorsement or memorandum shall, in each case, be subscribed by the officer by whom such comparison shall have been made.

Goods destined for the district of entry remaining on board more than fifteen working days, shall be taken possession of by the Inspector.

The wages of the Inspectors beyond that time, shall be paid by the master or owner of the vessel.

Sec. 66. If any merchandise, of which entry shall have been made in the office of a collector, shall not be invoiced according to the actual cost thereof, at the place of exportation, with design to evade the duties thereupon, or any part thereof, all such merchandise, or the value thereof, to be recovered of the person making entry, shall be forfeited.—Repealed by act of April, 1820.

Sec. 67. It shall be lawful for the collector, naval officer, or other officer of the customs, after entry made of any merchandise, on suspicion of fraud, to open and examine in the presence of two or more reputable merchants, any package, or packages thereof, and if upon examination they shall be found to agree with the entries, the officer making such seizure and examination, shall cause the same to be repacked and delivered to the owner or claimant forthwith; and the expense of such examination shall be paid by the said collector, or other officer; and allowed in the settlement of their accounts; but if any of the packages so examined shall be found to differ in their contents from the entry, then the merchandise contained in such package or packages shall be forfeited; Provided, that the said forfeiture shall not be incurred, if it shall be made appear to the satisfaction of the collector and naval officer of the district where the same shall happen, if there be a naval officer, and if there be no naval officer, to the satisfaction of the said collector, or of the court in which a prosecution for the forfeiture shall be had, that such difference proceeded from accident or mistake, and not from an intention to defraud the revenue.—Repealed by ditto.

Sec. 68. Every collector, naval officer, and surveyor, or other person specially appointed by either of them for that purpose, shall have full power and authority to enter any vessel, in which they shall have reason to suspect any merchandise, subject to duty, are concealed, and therein to search for, seize, and secure any such merchandise; and if they shall have cause to suspect a concealment thereof in any particular dwelling house, or other place, they, or either of them, shall, upon proper application on oath to any justice of the peace, be entitled to a warrant to enter such house, store, or other place (in the day time only) and there to search for such goods; and if any shall be found, to seize and secure the same for trial; and all such merchandise, on which the duties shall not have been paid, or secured to be paid, shall be forfeited.

Sec. 69. All merchandise which shall be seized by virtue of this act, shall be put into, and remain in the custody of the collector, or such other person, as he shall appoint for that purpose, until proceedings shall be had, to ascertain whether the same have been forfeited, or not; and if it shall be adjudged that they are not forfeited, they shall be forthwith restored to the owner or owners, claimant or claimants thereof: and if any person shall conceal or buy any merchandise, knowing them to be liable to seizure by this act, such person shall on conviction thereof forfeit and pay a sum double the amount or value thereof.

Sec. 86. No officer of the customs, or other person employed under the authority of the United States, in the collection of the duties, and on the tonnage of ships or vessels, shall own, either in whole or in part, any ship or vessel, or act as agent, attorney, or consignee for the owner or owners of any ship or vessel, or of any cargo or lading on board the same; nor shall any officers of the customs, or other person employed in the collection of the duties as aforesaid, import, or be concerned directly or indirectly in the importation of any merchandise, for sale, into the United States, on penalty that every person so offending, and being thereof convicted, shall forfeit and pay the sum of five hundred dollars.

Sec. 12. That every collector, naval officer, and surveyor, shall account to the Treasury for all his emoluments, and also, for all the expenses incident to his office; that such accounts, as well of expenses as of emoluments, shall be rendered on oath or affirmation, at such times and in such forms, and shall be supported by such proofs, as shall be prescribed by the Secretary of the Treasury, and all such accounts shall be settled at the Treasury like other public accounts.

Sec. 13. That every collector, naval officer, and surveyor, shall, together with his accounts of the expenses incident to his office, render a list of the clerks employed by him, stating the rate of compensation allowed to each, and the duties which they severally perform; and, also, on account of the sums paid for stationary, official, or contingent expenses, fuel, and office rent, stating the purposes for which the premises rented, are applied.

Sec. 14. That, in the ports of Boston, New-York, Philadelphia, Baltimore, Charleston, Savannah, and New-Orleans, no person shall be an inspector who, at the same time, holds any other office in the collection of the customs in either of the said ports.

Sec. 88. If any officer of the customs shall directly or indirectly take or receive any bribe, reward or recompense, for conniving, or shall connive at any false entry of any vessel, or of any merchandise, and shall be convicted thereof, every such officer or other person shall forfeit and pay a sum not less than two hundred, nor more than two thousand dollars for each offence; and any person giving or offering any bribe, recompense or reward for any such deception, collusion, or fraud, shall forfeit and pay a sum not less than two hundred dollars, nor more than two thousand dollars, for each offence; and in all cases where an oath or affirmation is by this act required from a master of a vessel, or from an owner or consignee of any merchandise, his, her, or their factor or agent, and generally whenever an oath or affirmation is required from any person or persons whatsoever, by virtue of this act, if the person so swearing or affirming shall swear or affirm falsely, such person shall, on indictment and conviction thereof, be liable to the same pains and penalties prescribed for persons convicted of wilful and corrupt perjury.

Bonds must be given by the various collectors, surveyors, &c. for the faithful performance of their duties in the following sums, viz.

Collectors of New-York and Philadelphia,	\$60,000
Do. of Boston and Charlestown,	40,000
Do. of Baltimore and Charleston,	30,000
Do. Norfolk and Portsmouth,	15,000
Do. Portsmouth in New-Hampshire, of Salem and Beverly, Wilmington (in the state of Delaware,) Annapolis, Georgetown (in Maryland,) Bermuda Hundred and City-Point, Alexandria, Wilmington, Newbern and Edenton (in the state of North Carolina,) Newport and Providence (in the state of Rhode Island,) and Providence Plantations,	10,000
Collectors of Newburyport, Gloucester, Marblehead, Plymouth, Nantucket, Portland and Falmouth, New-London, New-Haven, Fairfield, Perth Amboy, Yorktown, Dumfries, Washington, Cambden, Georgetown (South Carolina,) Beaufort and Savannah,	5,000
Collectors of Hudson, Middletown and Waldoborough,	4,000
And all the other collectors,	2,000
Naval Officers of Boston and Charlestown, New-York, Philadelphia, Baltimore, and Charleston,	10,000
And all other naval officers,	2,000
Surveyors of Boston and Charlestown, New-York, Philadelphia, Baltimore, and Charleston,	5,000
And all other surveyors,	1,000

Which bonds shall be filed in the office of the comptroller of the treasury of the United States, and be, by him, severally, put in suit for the benefit of the United States, upon any breach of the condition thereof.

And all bonds to be hereafter given, shall be of the form following, to wit:

Know all men by these presents, that we are held and firmly bound unto the United States of America, in the full and just sum of _____ dollars, money of the said United States; to which payment, well and truly to be made, we bind ourselves, jointly and severally, our joint and several heirs, executors, and administrators, firmly by these presents. Sealed with our seals, and dated this _____ day of _____ one thousand _____

The condition of the foregoing obligation is such, that, whereas the President of the United States hath, pursuant to law, appointed the said _____ to the office of _____ in the state of _____

Now, therefore, if the said _____ has truly and faithfully executed and discharged, and shall continue truly and faithfully to execute and discharge all the duties of the said office, according to law; then the above obligation to be void and of none effect, otherwise it shall abide and remain in full force and virtue.

*Sealed and delivered
in the presence of* }

Provided, that in cases where bonds have been already given, according to the directions aforesaid, new bonds shall not be required.

Sec. 95. All matters directed by this act to be done to or by the collector of a district, or by the naval officer thereof, shall and may be done to and by the person who, in the cases specified in this act, is or may be authorized to act in the place or stead of the said collector, or of the said naval officer.

Sec. 96. Whenever an oath is required by this act, persons consciously scrupulous shall be permitted to affirm.

Sec. 110. Nothing contained in this act shall be construed to exempt the masters or owners of vessels from making and subscribing any oaths or affirmations required by any laws of the United States, not immediately relating to the collection of the duties on the importation of goods, wares, and merchandise, into the United States.

Sec. 111. In cases where the forms of official documents, as prescribed by this act, shall be substantially complied with and observed, according to the true spirit, meaning, and intent thereof, no penalty or forfeiture shall be incurred by a deviation therefrom; and the officers of the department of the treasury, according to their respective powers and duties, shall and may, from time to time, prescribe additions to the said forms, for the purpose of adapting the same to any alterations which may be made to the rates of duties on the importation of goods, wares, and merchandise, and on the tonnage of ships and vessels, and for the better collection and payment of the said duties: Provided, however, that it shall not be competent for the said officers to prescribe any form or regulations incompatible with or contravening the special provisions of this act.

Sec. 4. Whenever a collector shall die or resign, the commissions, to which he would have been entitled on the receipt of all duties bonded by him, shall be equally divided between the collector resigning, or the legal representative of such deceased collector, and his successor in office, whose duty it shall be to collect the same, and for this purpose all the public or official books, papers, and accounts, of the collector resigning or deceased, shall be delivered over to such successor.

Sec. 73. Every collector, naval officer, and surveyor, shall cause to be affixed and constantly kept in some public and conspicuous place of his office, a fair table of the rates of fees and duties demandable by law, and shall give a receipt for the fees he shall receive, specifying the particulars, whenever required so to do; and in case of failure therein, shall forfeit and pay one hundred dollars, to be recovered with costs, in any proper court having cognizance thereof, to the use of the informer; and if any officer of the customs shall demand or receive any greater, or other fee, compensation, or reward, for executing any duty or service required of him by law, he shall forfeit and pay two hundred dollars for each offence, recoverable in manner aforesaid, for the use of the party aggrieved. And if any inspector, gauger, weigher, or measurer shall receive any gratuity, fee, or reward, for any services performed by virtue of this act, other than is by law allowed, or if any gauger, weigher, or measurer, employed as such by the public, in the districts of Portsmouth, Salem and Beverly, Boston and Charlestown, Providence, New-York, Philadelphia, Baltimore, Norfolk and Portsmouth, or Charleston, shall gauge, weigh, or measure, any article or articles other than shall be directed by the proper officer in order to ascertain the duties to be received, or the drawbacks to be allowed thereon, or shall make a return of the weight, gauge, or measure of any merchandise laden, or to be laden, on board any ship or vessel for the benefit of drawback upon exportation, without having actually weighed, gauged, or measured the same, as the case may require, after such merchandise shall have been notified to the collector and entered for exportation, they shall for the first offence forfeit and pay the sum of

fifty dollars, and for the second offence shall forfeit two hundred dollars, and be discharged from the public service; and if any inspector or other officer of the customs shall certify the shipment of any merchandise entitled to drawback on exportation without having duly inspected and examined the same, after he shall have received the permit for lading such merchandise, or, if the amount of such drawback shall be estimated according to weight, gauge, or measure, until such merchandise shall be first weighed, gauged, or measured, as the case may require, he shall be subject to the like forfeitures, and be discharged from the public service.

Sec. 16. No account for the compensation for services of any clerk, or other person employed in any duties in relation to the collection of the revenue, shall be allowed, until such clerk or other person shall have certified, on oath or affirmation, that he has received the full sum therein charged, to his own use and benefit, and that he has not paid, deposited, or assigned, nor contracted to pay, deposit, or assign, any part of such compensation to the use of any other person, nor in any way, directly or indirectly, paid or given, nor contracted to pay or give, any reward or compensation for his office or employment, or the emoluments thereof.

Sec. 17. That if any person, employed in any duties in relation to the collection of the revenue, shall accept or receive any fee, reward, or compensation, other than that allowed by law, for any service he may perform for any person, in making any entry or clearance, or preparing any papers to be used or kept in the custom house, such person shall be removed from office, and shall, moreover, on conviction thereof, pay a fine not exceeding five hundred dollars.

Sec. 21. It shall be the duty of the collectors, and other officers of the customs, and all other officers of the revenue of the United States, in the several ports or places situated as aforesaid, to notice, and be governed by, the provisions of the laws now existing, of the several states prohibiting the admission or importation of any negro, mulatto, or other person of colour, as aforesaid. And they are hereby enjoined vigilantly to carry into effect the said laws of said states, conformably to the provisions of this act; any law of the United States to the contrary notwithstanding.

Sec. 116. When any prosecution shall be commenced on account of the seizure of any ship or vessel, goods, wares, or merchandise, made by any collector or other officer, under any act of congress authorizing such seizure, and judgment shall be given for the claimant or claimants, if it shall appear to the court before whom such prosecution shall be tried, that there was a reasonable cause of seizure, the said court shall cause a proper certificate or entry to be made thereof; and in such case the claimant or claimants shall not be entitled to costs, nor shall the person who made the seizure, or the prosecutor, be liable to action, suit, or judgment, on account of such seizure and prosecution. But the ship or vessel, goods, wares, or merchandise, shall be, after judgment, forthwith returned to such claimant or claimants, his, her, or their, agent or agents.

Sec. 119. It shall be lawful for the secretary of the treasury to place the collection of the duties on impost and tonnage under the superintendence of the commissioner of the revenue, if, in his opinion, the public service will be promoted by transferring that duty from the comptroller to the said commissioner.

Sec. 7. Every collector of the customs shall have authority, with the approbation of the Secretary of the Treasury, to employ, within his district, such number of proper persons, as deputy collectors of the customs, as he shall judge necessary, who are hereby declared to be officers of the customs; and the said deputy collectors, before they enter on the duties of their offices, shall take and subscribe, before the collectors appointing them, or before some magistrate within their respective districts, authorized by law to administer oaths, the following oath or affirmation, to wit:

I, _____, having been appointed a deputy collector of the customs, within and for the district of _____, do solemnly, sincerely, and truly, swear, (or affirm, as the case may be), that I will diligently and faithfully execute the duties of the said office of deputy collector, and will use my best endeavours to prevent, and detect, frauds and violations against the laws of the United States: I further swear (or affirm) that I will support the constitution of the United States.

By an act passed March 2, 1827, brandy was permitted to be imported in casks, containing less than fifteen gallons, and to be exported in the same casks, for the benefit of drawback. It was, however, provided, that brandy, when imported in casks containing less than ninety gallons, should be deposited in the public store, and subjected to the same regulations as wines deposited there.

By an act of February 10, 1820, it is enacted, That

Sec. 1. The Register of the Treasury shall, under the direction of the Secretary of the Treasury, annually prepare statistical accounts of the commerce of the United States with foreign countries, for each preceding year; which accounts shall be laid before Congress, by the Secretary of the Treasury, on the first Monday in December in every year, or as soon after as possible.

Sec. 2. Such accounts shall comprehend and state all goods, wares, and merchandise, exported from the United States to other countries; all goods, wares, and merchandise, imported into the United States from other countries; and all navigation, employed in the foreign trade of the United States; which facts shall be stated, according to the principles, and in the manner hereby directed.

Sec. 3. The kinds, quantities, and values of all articles exported, and the kinds, quantities, and values of all articles imported, shall be distinctly stated in such accounts; except in cases in which it may appear to the Secretary of the Treasury, that separate statements of the species, quantities, or values, of any particular articles, would swell the annual statements without utility; and, in such cases, the kinds, and total values of such articles shall be stated together, or in such classes as the Secretary of the Treasury may think fit.

Sec. 4. The exports shall be so stated as to show the exports to each foreign country, and their values; and that the imports shall be so stated, as to show the imports from each foreign country, and their values.

Sec. 5. The exports shall be so stated, as to show, separately, the exports of articles of the production or manufacture of the United States, and their values; and the exports of articles of the production or manufacture of foreign countries, and their values.

Sec. 6. The navigation employed in the foreign trade of the United States, shall be stated in such manner, as to show the amount of the tonnage of all vessels departing from the United States for foreign countries; and, separately, the amount of such tonnage of vessels of the United States, and the amount of such tonnage of foreign vessels; and also, the foreign nations to which such foreign tonnage belongs, and the amount of such tonnage belonging to each foreign nation; and, in such manner, as also to show the amount of the tonnage of all vessels departing for every particular foreign country, with which the United States have any considerable commerce, and, separately, the amount of such tonnage of vessels of the United States, and the amount of such tonnage of foreign vessels; and in such manner as to show the amount of the tonnage of all vessels arriving in the United States from foreign countries; and, separately, the amount of such tonnage of vessels of the United States, and the amount of such tonnage of foreign vessels; and also, the foreign nations to which such foreign tonnage belongs, and the amount of such tonnage belonging to each foreign nation; and, in such manner, as also to show the amount of the tonnage of all vessels arriving from every particular foreign country, with which the United States have any considerable commerce; and, separately, the amount of such tonnage of vessels of the United States, and the amount of such tonnage of foreign vessels.

Sec. 9. The collectors shall keep separate accounts of the kinds, quantities, and values, of such parts of the imports subject to duties ad valorem, as may be directed by the Secretary of the Treasury.

Sec. 10. All articles exported shall be valued at their actual cost, or the values which they may truly bear at the time of exportation, in the ports of the United States from which they are exported; and that all articles imported shall be valued at their actual cost, or the values which they may truly bear in the foreign ports from which they were exported for importation into the United States, at the time of such exportation.

Sec. 12. Every collector shall keep an accurate account of the national characters and tonnage of all vessels which depart from his district for foreign countries, and of the foreign places or countries for which such vessels depart;

and, also, an accurate account of the national characters and tonnage of all vessels which enter his district from foreign countries, and of the foreign places or countries from which such vessels arrive.

Sec. 13. The several collectors shall make quarter yearly returns to the Register of the Treasury, of all the facts and matters which they are hereby required to ascertain.

Sec. 14. The Secretary of the Treasury shall give such directions to the collectors, and prescribe such rules and forms to be observed by them, as may appear to him proper for attaining the objects of this act: *Provided*, That such directions or rules shall not be contrary to the provisions of any law of the United States.

Sec. 15. The forms of the annual statements hereby required, shall be determined by the Secretary of the Treasury, who shall prescribe such forms as may be proper to exhibit the facts hereby required to be stated in the clearest manner, and to show the actual state of commerce and navigation between the United States and foreign countries in each year.

Part 15th. Fees.

TO THE COLLECTOR AND NAVAL OFFICER.

Entry of a vessel of 100 tons or upwards,	\$2 50
Clearance do. do. do.	2 50
Entry of a vessel under 100 tons,	1 50
— of American licensed coasters of 50 tons,	0 50
— if under do.	0 25
Clearance of a vessel under 100 tons,	1 50
— of American licensed coasters of 50 tons,	0 50
— if under do.	0 25
Every post entry,	2 00
Foreign vessels, on arriving coastwise, entry,	2 00
—, clearing out coastwise,	2 00
Light money, per ton,	0 50
Permit to land goods,	0 20
Every bond taken officially,	0 40
— Permit to load goods, for the exportation for drawback,	0 30
— Debenture or other official certificate,	0 20
— Bill of health,	0 20
— Official document (registers excepted) required by any person,	0 20
Foreign vessels pay no hospital money to the United States.	

TO THE SURVEYOR.

Admeasuring and certifying the same, of every ship or vessel of 100 tons and under, per ton	0 1
Admeasurement of every ship or vessel above 100 tons, and not exceeding 200 tons	1 50
Above 200 tons,	2 00
For all other services on board any ship or vessel of 100 tons and upwards, having on board goods, wares, and merchandise, subject to duty,	3 00
For like services on board any ship or vessel of less than 100 tons,	1 50
On all vessels, not having on board goods, wares, or merchandise, subject to duty,	0 66½
For each certificate to accompany spirits,	0 1½
— wines and teas,	0 2½

TO EACH INSPECTOR.

For every day actually employed in aid of the customs, to be paid by the collector, unless the landing of the cargo shall require more than 15 days, when the wages for the extra days shall be paid by the owner or master,	3 00
For a certificate to accompany foreign distilled spirits, and wines and teas,	0 2½
The fees to the inspectors, measurers, weighers, and gaugers, with the above exception, are paid by the United States out of the revenue.	

TO THE MEASURERS, WEIGHERS, OR GAUGERS.

For the measurement of 100 bushels of salt,	\$0 75
100 do. of coal,	0 90
For weighing of 112 lbs. and marking the weight on every box, cask, or package, weighing more than 200 lbs. (except sugar, coffee, pepper, pimento, and indigo, in bales, bags, mats, canisters, or ceroons,) in Pennsylvania, New-York, Boston and Charlestown, and Baltimore,	0 1 $\frac{1}{2}$
For do. in Norfolk,	0 2 $\frac{1}{4}$
For do. in other districts,	0 3
For gauging and marking every cask,	0 12
For computing the contents, and marking cases containing distilled spirits and wines	0 4 $\frac{1}{2}$
For counting the number of bottles of cider, beer, ale, perry, or porter, in casks or packages, per doz.	0 1 $\frac{1}{2}$
The above fees include the compensation for making the returns also.	

FEES UNDER THE REGISTRY ACT.

Certificate of registry on record and bond,	2 25
Endorsement on do.	1 00
Every bond taken under the registry act,	0 25
for a Mediterranean passport,	0 40
Seamen's protection,	0 25

FEES UNDER THE COASTING ACT.

Admeasurement of a vessel in order to the registry enrolment.	
Licensing and recording do. if of 5 and less than 20 tons,	0 50
if of 20 and not exceeding 70 tons,	0 75
if of 70 and not exceeding 100,	1 00
if above 100,	1 50
For every certificate of enrolment,	0 50
Endorsement on do.	0 20
Every license, including the bond, if not above 20 tons,	0 25
above 20, and not more than 100,	0 50
above 100,	1 00
Recording certificate, manifest, and granting permit, if less than 50 tons,	0 25
if more than 50 tons,	0 50
For certifying manifest, and granting permit for registered vessels,	1 50
For receiving do. and granting permit on arrival,	1 50
Granting permit for a vessel to carry on fishery in a foreign port,	0 25
For report and entry of goods imported in such vessel,	0 25

For tonnage duties, vide pages 170, 171.

By the 7th section of the act passed May 7th, 1822, it is provided, that in lieu of the commissions allowed by law, the several collectors of the following districts shall be allowed as follows:—to the collectors of the districts of Saco, Cape Vincent, Georgetown, (Dist. Col.) Newbern, St. Mary's, (Geo.) and Pensacola, 3 per cent.—of Kennebunk, Newport, and New-London, 2 1-2 per cent.—of Bath, Bristol, New-Haven, and Alexandria, 2 per cent.—of Portsmouth, 1 $\frac{1}{2}$ per cent.—of Norfolk and Portsmouth, Petersburg and Richmond, 1 $\frac{1}{2}$ per cent.—of Mississippi, 1 per cent.—of Boston, one-fifth of one per cent.—and of New-York, one-sixth of one per cent.—on all moneys by them respectively received on account of the duties arising from merchandise imported into the United States, and on tonnage of vessels.

By a subsequent section, their compensation is limited, so that it shall not exceed a certain sum.

CHAPTER XXIV.

DUTIES.

Importations in all foreign vessels, which are not placed on the same footing with American vessels, are subject to an addition of 10 per cent., as if the duty on the article imported in an American vessel be 15 per cent., the duty on the same article imported in a foreign vessel will be 16. This is the case on all articles except Teas, and the difference of duties on Teas, when imported in American or foreign vessels, will be found in the Tariff. No drawback is allowed on this additional duty. In the first table will be found the articles subject to an ad valorem duty; in the second, articles subject to a specific duty; and the third tables all articles admitted free.

For ascertaining the amount on which the ad valorem rates of duty are to be computed, the 8th section of the act of July, 1832, is to govern, which section is in the following words:—"That in all cases where the duty which now is, or hereafter may be imposed, on any goods, wares, or merchandises, imported into the United States, shall, by law, be regulated by, or be directed to be estimated or levied upon, the value of the square yard, or of any other quantity or parcel thereof; and in all cases where there is or shall be imposed any ad valorem rate of duty on any goods, wares, or merchandises, imported into the United States, it shall be the duty of the Collector, within whose district the same shall be imported or entered, to cause the actual value thereof, at the time purchased, and place from which the same shall have been imported into the United States, to be appraised, estimated and ascertained, and the number of such yards, parcels, or quantities, and such actual value of every of them, as the case may require: And it shall in every such case be the duty of the appraisers of the United States, and of every of them, and of every other person who shall act as such appraiser, by all the reasonable ways and means in his or their power, to ascertain, estimate, and appraise, the true and actual value, any invoice or affidavit thereto, to the contrary notwithstanding, of the said goods, wares and merchandise, at the time purchased, and place from whence the same shall have been imported into the United States, and the number of such yards, parcels, or quantities, and such actual value of every of them, as the case may require; and all such goods, wares, and merchandises, being manufactures of wool, or whereof wool shall be a component part, which shall be imported into the United States in an unfinished condition, shall in every such appraisal, be taken, deemed and estimated, by the said appraisers, and every of them, and every person who shall act as such appraiser, to have been, at the time purchased, and place from whence the same were imported into the United States, of as great actual value as if the same had been entirely finished. *Provided*, That in all cases where any goods, wares, or merchandise, subject to ad valorem duty, or whereon the duty is, or shall be by law regulated by, or be directed to be estimated or levied upon, the value of the square yard, or any other quantity or parcel thereof, shall have been imported into the United States from a country other than that in which the same were manufactured or produced, the appraisers shall value the same at the current value thereof, at the time of purchase before such last exportation to the United States, in the country where the same may have been originally manufactured or produced."

TARIFF.

Of Duties on Importations in American vessels, and foreign vessels placed on an equality with the vessels of the United States.

For the act of July 14, 1832, and for the act of March 1833, modifying the act of July 14, 1832, see page 465.

TABLE I.

Of articles subject to ad valorem rates of duty.

ARTICLES.	per cent.	ARTICLES.	per cent.
Adzes	30	gilt paper, cotton velvet, cotton cord, silk ribbon, &c.	25
Almond paste	15	Boxes, fancy, composed of looking glass, silk velvet, gilt copper balls, ribbon, &c.	20
Arms, fire (except muskets and rifles)	30	Boxes, fancy, paper, japanned, varnished, gilt, copper, rice, &c.	25
Arms, side	25	Braces and bits, carpenters'	25
Articles, all composed wholly or chiefly of gold, silver, pearl or precious stones	12½	Braids for making hats or bonnets	30
Articles, all not free and not subject to any other rate of duty	15	Brass, manufactures of, or of which brass is a component material	25
Articles, <i>all other of glass</i> , in addition to a specific duty of 2 cts. per pound (1)	20	Brass wire	25
Axes	30	Brass kettles	25
B		Brazil pebble	12½
Bags, woollen and worsted	50	Bricks	15
Bags, cotton, flax or hemp	25	Bridles	30
Balsams, all kinds of cosmetic	15	Bridle bits	25
Baskets, straw and grass	15	Bristol stones	12½
Bassoons	25	Bronze in powder	15
Beads, glass (see <i>glass</i>)	30	Brushes of all kinds	25
Beams, scale	30	Buckles	25
Bed-spreads or coverlets made of the scraps or waste ends of printed calicoes sewed together not coming within the regulations on cotton cloths	25	Buckles, chiefly of gold or silver	12½
Bergamot oil, essence of	15	Burlaps	15
Bindings, woollen	25	Buttons, lead	15
Bits, bridles of all descriptions	25	Buttons, tin, covered with linen or cotton, of mother of pearl with eyes of glass, with eyes of brass, iron, steel, pewter, wood and worsted	25
Black lead pencils	25	Buttons of glass not cut, 20 per cent. and 2 cents per lb.	
Blankets	50	Buttons of glass cut, 30 per cent. and 3 cents per lb.	
Blank books	30	Buttons, mother of pearl, with holes, shell, ivory, horn and bone	15
Blue, Prussian	15	Buttons of silver and gold	12½
Boards and plank	25	Buttons of wool	50
Bolting cloths	15	Button moulds	15
Bolts, composition	25	C	
Bombazines	10	Cabinet wares	30
Bombazettes	10	Camblets made entirely of camel's hair, or the hair of a particular species of goat	15
Bonnets, Leghorn and all bonnets of straw, chip, or grass	30	Canes	25
Bonnets of fur, leather, or wool	30		
Bonnets of linen or muslin	25		
Books, blank	30		
Boxes, paper, not japanned	15		
Boxes, paper, japanned	25		
Boxes composed of pasteboard,			

(1) The term "*all other articles of glass*," is to be understood as meaning, *all other than wares of cut glass*; besides certain descriptions of *glass* paying *specific* rates of duty.

Duties.

ARTICLES.	per cent.
Canvass for floor cloths, wearing apparel, or sails	15
Caps for women	25
Caps of wool, fur, leather	30
Carriages of all descriptions and parts, as springs, &c.	30
Carpenters' braces and bits	25
Cashmere shawls, Thibet	15
Castors plated, with glass bottles	25
Chafing dishes, copper, iron, or tin	25
Chains, gilt, iron, plated, steel, tinned, washed, brass, copper, &c.	25
Chains, gold or silver	12½
China Ware	20
Chisels, socket	30
Chisels, all other	25
Clocks	25
Clothing, ready made	50
Cloths, bolting	5
Cloths, cotton (see cotton cloths)	
Cloth, hair, and hair seating	15
Coach lace, all kinds of	35
Coal hods, copper and iron	25
Coach furniture	30
Combs, horn, ivory, bone and shell	15
Composition Rods	25
Comfits, preserved in sugar or brandy	25
Copper, manufactures of, or of which copper is the chief value, except otherwise specified	25
Cosmetics	15
Cotton, all manufactures of not otherwise specified	25
Cotton, all manufactures of, not dyed, stained, coloured or printed, not exceeding in value 30 cts. per square yard, shall be valued at 30 cts. per square yd.	25
Cotton, thread, twist and yarn, all unbleached and uncoloured, the original cost of which shall be less than 60 cents per lb. shall be deemed and taken to have cost 60 cts. per lb. and charged with duty accordingly	25
Cotton, all manufactures of, not otherwise specified, or cloths of which cotton shall be a component material, if dyed, colored, printed or stained, in whole or in part, and not exceeding in value 35 cents the square yard, shall be taken and deemed to have cost 35 cts. the square yard and charged with duty accordingly	25
Cotton thread, twist and yarn, all bleached or coloured, the original cost of which shall be	

ARTICLES.	per cent.
less than 75 cents per lb. shall be deemed and taken to have cost 75 cts. per lb. and shall be charged with duty accordingly	25
Cotton stockings	25
Cotton, coach laces of	35
Coverlets or bed spreads	
(See bed spreads.)	
Coverlets or rugs (see rugs).	
Crapes, Norwich	50
Crude mineral salt	15
Crystals, watch	12½
Cat Glass, all wares of, not specified, in addition to a specific duty of 3 cts. per lb.	30
Cutlery	25
Cutting knives	30
Ciphering slates	25
D	
Diamonds, glaziers'	12½
Dolls dressed	25
Dolls undressed, the head, neck, body, legs, arms and hands being of wood, and the face shaped of plaister of Paris painted	15
Dolls, wood	25
Drawing knives	30
Dresses and gauzes, laces made into	50
E	
Earthen melting pots	20
Earthenware	20
Eau de Cologne	15
Elastic garters	25
Embroidery	12½
Epaulets cotton	25
Do. wool	50
F	
Fans	25
Fancy and perfumed shaving soaps, windsor soap and wash balls	15
Feathers for beds	15
Do. ornamental	25
Fire arms other than muskets or rifles	30
Flags, mats made of	5
Flageolets, wood	30
Flats for making hats or bonnets	30
Flat or sad irons	25
Flax, all manufactures of, not otherwise specified	25
Floor cloths, see canvass.	
Flowers, artificial	25
Flutes, wood	30
Frames or sticks for umbrellas or parasols	25
Fur, hats or caps of	30
Cannon, brass	25

Duties.

ARTICLES.	per cent.	ARTICLES.	per cent.
Far tippets G	12½	Gold or silver lace	12½
Garters, elastic, made of wire covered with kid leather	25	Gold watches and parts of watches	12½
Garters with elastic wire, silk	25	Gold leaf	15
Gig handles, plated as parts of carriages	30	Gowns and dresses	50
Gilt chains, seals and keys, gilt earrings not being jewelry in the fiscal sense of the term	25	Grass hats or bonnets	30
Gin cases with bottles in them, the cases to pay	25	Guernsey frocks	50
And the bottles per gross	2 50	H	
Glass plates, polished, used for looking glasses and carriage doors, in addition to a specific duty of 2 cts. per lb.	20	Hair cloth	15
Glass shades for mantle ornaments and time pieces, in addition to a specific duty of 2 cts. per lb.	20	Hair seating	15
Glass knobs, commodes with brass shanks	25	Hair, human, manufactured into curls, frizettes, &c.	25
Glass beads, entirely of glass not cut, in addition to a specific duty of 2 cts. per lb.	20	Hair powder, perfumed	15
Ditto if partly of glass connected with some other material, such as brass, composition metal, &c.	25	Handkerchiefs, Madras	25
Glass bottles, green pocket, in addition to a specific duty of 2 cts. per lb.	20	Hangings, paper	40
Glass bottles in liquor cases, if cut glass, in addition to a specific duty of 3 cts. per lb.	30	Harness	30
Ditto, if not cut, in addition to a specific duty of 2 cts. per lb.	20	Harness furniture	25
Glass cut, all wares of, in addition to a specific duty of 3 cts. per lb.	30	Harps	30
Glass, on all other articles of, in addition to a specific duty of 2 cts. per lb.	20	Hats and bonnets made of cotton cloths, complete with the exception of the lining and band	30
Glass, manufactures of, or articles of glass which cannot fairly be brought within the operation of the act of 22d May, 1824, because it would be extremely difficult to ascertain the weight of the glass separately from the other materials connected with it, in such a manner as to justify the exaction of the specific duty per pound on such articles	20	Hats of chip, straw, grass, fur, leather, rattan	30
Glasses, hour, (see hour glasses).	12½	Hats or caps of wool	30
Glaziers' diamonds	50	Hat felts or bodies of part wool, each	18 cts.
Globes for stills (see stills.)	50	Hat bodies in whole or in part of wool, each	18 cts.
Gloves, woollen	12½	Head dresses, ornaments for	25
Gold, all articles composed wholly or chiefly of gold	12½	Heads for stills (see stills)	50
		Hearth rugs	25
		Hemp, all manufactures of, not otherwise specified, or of which hemp shall be a component part	25
		Herrings, pickled in barrels and kegs, per barrel	\$1 00
		Hods, coal, of iron or copper	25
		Hooks, reaping	30
		Hoops, iron manufactured and fit for use in the state in which they are imported	25
		Horn combs, with three small brass units	15
		Hosiery, woollen	25
		Hour glasses	15
		I	
		Iron, all manufactures of, not otherwise specified, or of which iron is a component material	25
		Iron cables (see cables in table of specific duties).	
		Iron hoops manufactured and fit for use in the state in which they are imported	25
		Iron screws for wood, called wood screws	25
		Iron or steel squares	30
		Ivory combs	15
		J	
		Japanned trays and waiters, and japanned wares of all kinds	25
		Jewelry	12½

Duties.

ARTICLES.	per cent.
Jointed dolls (see dolls).	
K	
Kentledge, per lb.	1 ct.
Kettles, brass, in nests,	25 per ct.
Keys, gilt, for watches	25
Knives, drawing	30
Knives, cutting	30
Knobs, commode	25
L	
Laces, gold or silver, invoiced	
Fin, Mi Fin, Argent Fin, Ar-	
gent Mi Fin	12½
Laces, coach	35
Lace, all kinds of, made with	
wearing apparel	50
Laces, all other	12½
Lace veils,	
shawls, }	12½
shades, }	
Lamps with brass pillars and	
glass chimneys or domes im-	
ported in them	25
Lanterns, composed of tin, glass,	
beads, &c.	25
Lavender, essential oil of, and es-	
sence	15
Lead, all manufactures of not	
otherwise specified, or of which	
lead is a component material	25
Lead pencils, black	25
Leaf, gold, see gold leaf.	
Leather, and all manufactures	
thereof, or of which it is the	
material of chief value	30
Leather, hats or caps of	30
Leghorn hats or bonnets, and all	
hats or bonnets of straw, chip	
or grass	30
Lemon, oil of	15
Linsey woolsey	50
Liquor cases with empty bottles,	
the cases to pay	25
(for the duty on bottles, see bot-	
tles.)	
Looking glasses, with paper and	
wood frames	20
Looking glass plates not silvered,	
in addition to a specific duty	
of 2 cts. per lb.	20
M	
Madras handkerchiefs, cotton	25
Manufactured or prepared quills	15
Marble, all manufactures of	30
Mats, table, straw, tow or flag	15
Mats, oil or floor cloth, per yd.	12½
Melting pots, earthen	20
Melting or glue pots	25
Millinery of all kinds	25
Mits, leather	30
Moulds, button	15
Mustard	15

ARTICLES.	per cent.
Musical instruments, wood	30
Ditto brass	25
N	
Nails, composition and brass	25
Nankeens imported directly from	
China	20
Nankeens not imported direct	
from China subject to the re-	
gulations on cotton manufac-	
tures	25
Norwich crapes	10
Nutmegs, oil of	15
O	
Odours or perfumes	15
Oil olive in bottles or flasks	15
Oil, salad,	15
Organs	30
Ornaments for head dresses	25
Ornamental feathers	25
Osnaburghs	15
P	
Padding	50
Pantaloon	50
Paper hangings	40
Paper snuff boxes, pin cases,	
&c.	15
Parasols	25
" sticks or frames for	25
Parchment	25
Paste, almond	15
Paste work set in gold or silver	12½
Pearls, all articles composed	
wholly or chiefly of	12½
Pencils, black lead	25
Perfumed shaving soap	15
Perfumes	15
Pewter, all manufactures of not	
otherwise specified, or of which	
pewter is a component part	25
Pickles	15
Piano-fortes	30
Planks	25
Plated wares of all kinds not	
otherwise specified	25
Plated epaulettes	25
Plats for making hats or bonnets	30
Porcelain	20
Pocket books, leather, with locks,	
or mountings of greater value	
than the leather	25
Pocket books, leather, if leather	
is the article of chief value	30
Porter sheetings	15
Powder, hair, perfumed	15
Powder, tooth	15
Precious stones of all kinds, set	
or not set	12½
Prepared or manufactured quills	15
Preserves	25
Printing types, new or old	25
Prussian blue	15
Prussiate of potash or potasse	12½

Duties.

Black lakes, and all others, not specially enumerated	Ratans, manufactured
Palm leaves	Raw skins, that is, undressed
Palm leaf hats	Redwood
Palm oil	Red wool for hatters
Panilla grass	Reindeer, deer tongues
Paper segars	Resin
Paste, medicinal, jujube and Brazil	Resin of Jalap
Pastel or woad	Rhubarb
Paving stones	Rice
Peel, orange or lemon	Rock moss
Pearl, mother of	Rocoo
Pearls, composition	Roman cement
Peas	Roots, arrow, columbo, madder, and all other sorts, used principally in dyeing
Pelts, salted	Rose leaves
Pencils, slate and camel's hair	Rose pink
Pepper, black and white	Rose water
Peppers, red	Rosin
Peruvian bark	Rotten stone
Pewter, old, fit only to be remanufactured	Rouge
Philosophical apparatus, specially imported	Saffron
Phosphorus	Sago
Phosphoret of lime	Sal ammoniac
Pictures	Salep
Pimento, and oil of	Sandal wood
Pine apples	Sarsaparilla
Pins	Sassafras
Pipernic	Sausages
Pipes, clay, that is, smoking	Scammony.
Pistachia nuts	Scilla or squills
Pitch, Burgundy	Seneca
Plaster busts, statues, castings, ornaments, &c.	Shaddocks
Plants	Sheathing copper
Plantain bark	Sheep
Plaster of Paris	Sheet brass
Platina	Shell, turtle
Platina Crucibles	Shellac
Pomegranates	Shells, cocoa
Poppy oil	Shrub
Poppies	Shumac
Pots, black lead	Sieves, cyprus
Pounce	Skins of all kinds, in the hair, raw, salted, or unmanufactured
Powder, blue	Smalts
Preparations, anatomical	Snake root
Preserves, in molasses	Soda
Printed labels	Soy
Prints or engravings	Spelter
Prunes	Sponges
Pricheri	Spunk
Pumice stone	Starch
Putty, glazier's	Still, bottoms and parts thereof
	Storax
	Straw for hats
	Strontian
	Sulphate of Rhubarb and Zinc
	T
	Talc
	Tapioca
	Tar, Barbadoes
	Tar, coal
	Tartar, crude and cream of
	2 W

Duties.

Teas, of all kinds, imported from China or other places east of the Cape of Good Hope, and in vessels of the United States	Verdigris
Teazles	Vermicelli
Teeth, elephants' or of other animals	Vermilion
Terra umbra	Vinellas
Tutenague	Violin strings
Tberiaque	Vitriol white
Tin, in bars and blocks	
Tin foil	W
Tin in pigs, plates, sheets, &c.	Water colours
Tongues, Reindeer, fish, neats, smoked	Wax, bees, bleached or unbleached
Topaz, imitation	Wax, dolls, entirely of
Tortoise shell	Wax, sealing
Touchstones	Weld
Tow, flax or hemp	Wet blue
Toys, paper	Woad or pastel
Trees	Wood, Brazil, Braziletto, Camwood, Caramaguey, logwood, and all woods unmanufactured, not otherwise specified
Turmeric	Wool, Angora, goat's hair or camel's
Turnips	Worsted stuff goods, after Dec. 31st, 1833.
Turpentine	Wool, red, natural
Turtle's shell	Wool, unmanufactured, the value of which, at the place of exportation shall not exceed 8 cts. per pound
U	Whale oil, footing
Undressed dolls, of paper, plaster	Y
V	Yarns
Valerian Root	Yellow, patent
Valonica	Z
Vanilla and Vanilla beans	Zinc in pigs and sheets
Varnishes of all kinds, not otherwise enumerated	Zinc, nails
Venison hams	

EXTRACTS FROM A CIRCULAR

To Collectors, Naval Officers, and Surveyors.

TREASURY DEPARTMENT, }
Comptroller's Office, March 7, 1833. }

SIR—You will receive, herewith, for your government, the following acts passed at the last session of Congress, viz.

1. "An act to explain an act entitled 'An act to reduce the duties on coffee, tea and cocoa,' passed the 20th May, one thousand eight hundred and thirty."
2. "An act to explain and amend the 18th section of 'An act to alter and amend the several acts imposing duties on imports,' approved the 14th July, 1832."
3. "An act establishing a port of entry and delivery at the village of Fall River in Massachusetts, and discontinuing the office at Dighton."
4. "An act to explain and amend the act to alter and amend the several acts imposing duties on imports, passed the 14th July, 1832, so far as relates to hardware and certain other manufactures of Copper and Brass, and other materials."
5. "An act to modify the act of the 14th July, 1833, and all other acts imposing duties on imports."

The third section of act No. 2, contains the following provisions, viz.

"If a sum equal to the amount of duties levied by the said act of the 14th July, shall not have been collected, and the bond or bonds given shall amount to more than the duties imposed by said act, the Secretary of the Treasury shall direct that a debenture certificate or certificates, the form of which shall be prescribed by him, for such excess of duty, shall be issued to the persons placing the same in the custody of the customs, payable out of the bond or bonds given for duties on the same. The collectors to give the debtors credit on the bonds for the differ-

Extracts from a Circular.

ence between the high and low duties, and to cancel the bonds on payment of the balance."

To carry these different provisions into effect, you are when the importer deposits the goods, to credit his bonds with the difference between the high and low duties, and if any excess shall then appear to have been paid, such excess is to be refunded to him at the Treasury; but if, upon giving such credit, the full amount of duties according to the existing laws will not have been paid, the bonds are to be cancelled only on the payment of the balance thus remaining to be paid.

But in case of goods being deposited by a person other than the importers thereof, and a sum equal to the amount of duties levied by the said act of the 14th July, shall not have been collected, and the bond or bonds given shall amount to more than the duties, imposed by said act, instead of giving a credit on the duty bonds of the importer, for the difference between the high and low duties a debenture certificate is to be issued to the persons depositing such goods for such difference.

From this form you will perceive that the debentures will be payable only in case the duty bonds on which they may be predicated, shall be paid.

The same principle is to govern in the case of goods heretofore liable to duty, but which, under the act of the 14th July, 1832, will be free.

If such goods be deposited by the importer, any duties which may have been paid thereon, are to be refunded to him at the Treasury, and the bonds for the balance of the duties (if any) are to be cancelled; and if such goods be deposited by a person other than the importer, and no duties thereon have been paid, he is to receive debenture certificates for the whole, payable at the same time, respectively, at which the bonds given for the duties will become payable; but if a part of the duties were paid, then such part is to be refunded to the person who may have deposited the goods, and debenture certificates for the balance of the duties are to be granted to him, payable as before mentioned.

The 3d section of the act No. 2. also contains a provision, according to which goods deposited and remaining in the custom house stores until the 1st of April next, will be entitled to the benefit of the 18th section of the act of 14th July, 1832, and if any higher duty shall have been paid thereon than would have been levied under the last mentioned act, such excess is to be refunded out of any money in the Treasury not otherwise appropriated, to the person who may have placed the same in the custody of the customs.

When goods which have been or which shall be deposited for the benefit of the 18th section of the act of the 14th July, 1832, by persons other than the original importers thereof, as authorized by the accompanying act No. 2, the identity is to be established by satisfactory evidence of the transfer or transfers for your government, in relation to which the Secretary of the Treasury directs that the regulations prescribed by law, when goods are exported for the benefit of drawback by persons other than the original importers thereof, be observed.

Information having been received from sources entitled to entire confidence, that impositions have been practised, and will continue to be practised, on the revenue, by invoicing and entering the articles known by the names of "*Summer Cloth*," and "*Brochellas*," under the name of "*Worsted stuff goods*," when, according to the materials of which they are both composed, (say *worsted* or *combed wool* and *cotton*) they are not entitled to that classification, but are liable to the *Woollens' duty*, it becomes necessary that measures be adopted at the custom houses, in the examination and inspection of such goods, to detect and prevent impositions of the kind in future.

In compliance with instructions from the Secretary of the Treasury, you are requested to refund the discriminating duties of tonnage which have been levied by you on Mexican vessels since the 5th of April, 1832, the date of the President's Proclamation, directed the Treaty between the United States of America and the United Mexican States, to be fulfilled.

It is deemed proper to take this occasion to communicate to you the following decisions of this office, viz.

1. That in estimating the value of *wool unmanufactured*, at the place of exportation—to the actual cost, if the same shall have been actually purchased, or the actual value, if the same shall have been procured otherwise than by purchase, at the time and place, when and where purchased, or otherwise procured, or to the appraised value, if appraised, are to be added *all charges*, except insurance,

Extracts from a Circular.

and the weight is to be regulated with reference to the pound weight as known and established in the United States. If it shall be proved to your satisfaction, that there is any difference between the pound weight in the United States and that of the foreign country of exportation, such difference is to be taken into view in the computation of the value of the wool. If the value of ~~manufactured~~ wool, estimated in the manner thus prescribed, shall exceed eight cents per pound, it will be liable to duty, and vice versa, if it does not exceed that sum per pound. An actual weighing at the time of arrival, is considered necessary in all cases, in order to ascertain whether the wool will or will not be liable to duty.

2. That an article called "*Fancy Coral*," in thin uneven pieces, about a quarter of an inch in length, with a hole midway between the two ends, is not considered as coming under the denomination of "*Beads*," in contemplation of law, and if not entitled to the general exemption from duty on "*Coral*," is entitled to such exemption as an article not enumerated in any law, and heretofore liable as such, to an ad valorem duty of 15 per cent. The circumstance of such *Coral* being strung, is not considered as placing it upon a different footing.

3. That *Coral Beads* are liable to an ad valorem duty of 15 per cent, as "all other *beads*, not otherwise enumerated."

4. That window blinds, made of split rattans, are liable to an ad valorem duty of 15 [25] per cent. as manufactures of wood.

5. That all articles composed entirely of *Silk* and *Linens*, are entitled to an entry as *manufactures of silk*, or of which *Silk* shall be a *component part*."

6. That all *iron chains*, which from the form and thickness of the links, are suitable for, and are generally used for *Cables*, whether of large or small vessels, are to be subjected to the specific duty of 3 cents per pound.

7. That *Goat's* and *Camel's Hair Camlets* are entitled to an entry at 15 per cent. being considered as coming under the general classification of "*Cashmere Thibet*," in contradistinction to the classification of "*Merino Shawls* made of *wool*, and all other manufactures of *wool*, or of which *wool* shall be a component part."

8. That shawls, the body composed of *Silk* and *Worsted*, with the figures on the border formed with *carded wool*, are considered to be entitled to be placed under the classification of "*Shawls* and other manufactures of *Silk* and *Worsted* at an ad valorem duty of 10 per cent.

9. That shawls of *worsted* or *combed Wool* and *Cottons*, are liable to the *Woolen's* duty.

10. That the articles called *brown rolls*, or *Heedens*, *Dowls*, *Platillas*, *Creas*, and *Bretagnes*, are entitled to an entry at an ad valorem duty of 15 per cent.

11. That the following articles are liable to an ad valorem duty of 25 per cent. viz. black linens, Russia sheetings, linen diapers and damasks, damask table cloths and napkins, linen sheeting, linen drillings for pantaloons, linen lawns, called long lawns, linen threads, Irish linen shirtings and estopillas.

12. That sail needles, sack and yarn needles, darning needles, bent packing needles, shoemaker's, glover's, and saddler's netting and tambouring needles, and all similar needles, are embraced by the general exemption of "*Needles*." Bodkins not included.

13. That so much of the act of 20th April, 1818, as requires wines and distilled spirits to be deposited in the public stores, to be entitled to drawbacks, is considered to be still in force; but that the terms of credit therein allowed are virtually repealed by the 5th section of the act of the 11th July, 1832, entitled "An act to alter and amend the several acts imposing duties on imports," the provisions in this respect, in the last mentioned act, being so repugnant to those in the former that both cannot stand well together, and have a concurrent efficacy.

It may be proper to observe, however, that this decision is applicable only to the importations of wines and distilled spirits, which have been made since the 3d instant, and which may hereafter be made.

CIRCULARS.

FROM THE COMPTROLLER TO THE COLLECTORS.

SIR.—A number of communications having been received, requesting the opinion of this department as to the rates of duty payable on the following articles, I take the occasion to state the decision thereon, in order that uniformity in those cases may prevail, viz.

1. Composition rods, bolts, spikes and nails, to pay duty as manufactures of "brass iron, steel, pewter," &c., or of which either of these metals is a component material.

2. Still bottoms; that is to say, those which are merely cut round and turned up at the edge, are not to be considered in the light of "vessels of copper," nor yet as "manufactures of copper," within the meaning of the law; but are to pay duty as non-enumerated articles.

3. "Cutting knives," technically so termed, and which are to pay an ad valorem duty of 30 per cent., are understood to be knives used for cutting straw and hay. Neither carriers' knives nor drawing knives come under that denomination.

4. Oakum and old junk; to pay duty as non-enumerated articles.

5. "Black glass bottles." The whole of the paragraph in the act of the 22d May last, commencing with the words quoted, is considered as having reference to that description of bottles, but of different sizes, the rates of duty varying according to the size.

6. Other than black glass bottles are liable to duty either as "cut glass," or as "all other articles of glass," as the case may be.

7. Clocks to pay duty as manufactures of "brass, iron, steel, pewter," &c., or of which either of these metals is a component material.

8. Flutes, flageolets, bassoons, clarionets, fifes, piano fortes, organs and harps to pay duty as manufactures of wood.

9. Flutes made entirely of ivory, to pay duty as non-enumerated articles.

10. "Iron cables or chains." This term is considered as applying to one and the same thing, namely, iron chains suited for cables, or what is usually called chain cables, and not to iron chains generally.

11. Plated castors, with glass bottles imported in them, to pay duty as "plated wares of all kinds."

12. Lamps, with brass pillars and glass chimneys or domes imported in them, to pay duty as manufactures of "brass, iron, steel, pewter," &c., or of which either of these metals is a component material.

13. Carpenters' braces and bits; same as preceding.

14. Glass beads; that is to say, such as are entirely of glass, to pay duty as "all other articles;" but if connected with some other material, such as brass, composition metal, &c., then they must pay duty as manufactures of "brass, iron, steel, pewter," &c., or of which either of these metals is a component material.

15. Looking-glass plates, not silvered, to pay duty as "all other articles of glass."

16. Glass commode knobs, with brass or composition shanks, imported in them, to pay duty as manufactures of "brass, iron, steel, pewter, &c.," or of which either of these metals is a component material.

17. Thermometers, telescopes, magic, and other lanterns, and similar articles, composed of tin, glass, wood, brass, copper, &c., to pay duty as the preceding.

18. Bedspreads or covers, made of the scraps or waste ends of printed calicos sewed together, to pay duty as manufactures of cotton; but not subject to the regulations respecting cotton cloth, the cost of which, with certain additions, shall be less than 30 cents per square yard.

19. "Worsted stuff goods;" to come under that denomination, the article must be composed entirely of worsted; and be of that class of goods well known and understood by merchants as coming under the denomination of "worsted stuff goods," namely, such as worsted plaids, bombazettes, and the like.

20. Articles composed of cotton and worsted, or wool; and of silk and wool, to pay duty as "manufactures of wool."

* Glass beads, if strung, to pay a duty of 20 per cent. ad valorem.—Editor.

But in relation to cotton cloths, or of which cotton shall be a component material, (except *Nankeens* imported directly from China,) the 7th section of the act of 19th May last, directs that, if, with the usual addition of 10 or 20 per cent. (as the case may be) to the original cost, the amount be less than 35 cents the square yard, the goods are to be considered as having cost 35 cents the square yard, and be subjected to duty accordingly.

It results that if, with such addition to the original cost, the amount be *more* than 35 cents the square yard, the duty is to be computed on that amount, whatever it may be.

2. That Navarino hats, so called, the crowns of which are imported in nests, and the brims in sheets, the material of both being the same as paper, are considered as coming under the general classification of "*Millinery of all sorts.*"

3. That Merino shawls are liable to duty as woollen manufactures, or of which wool shall be a component material.

4. That no wines, the duties on which will have become payable anterior to the 1st of January next, will be entitled to the benefit of the act of the 24th May last, altering the duties on wines; because, if they shall have become so due, they must either be paid, or the wines must be sold for the payment thereof, and therefore can no longer, in contemplation of law, be considered as remaining on deposit.

Respectfully,

JOSEPH ANDERSON, Comptroller.

CHAPTER XXVI.

DRAWBACK.

The following alterations have been made in the law regulating the debenture system, since the publication of this work.

By a law, passed March 8th, 1823. It is enacted—Section 28th. That all goods, wares or merchandise, imported into the United States, the duties on which shall have been paid, or secured to be paid, may be transported coastwise, from the district into which they were imported, to two other districts, and exported from either of them with the benefit of drawback: *Provided*, That all regulations and formalities now in force, relating to the transportation of goods, wares or merchandise, coastwise, from the district into which they were imported to another district, for benefit of drawback and such other regulations as are prescribed under and by virtue of this act, for the further transportation of such goods, wares or merchandise, to other districts, shall be complied with: *And provided also*, That all the regulations and formalities now in force, respecting the exportation of goods, wares and merchandise, for the benefit of drawback, shall be complied with so far as may be consistent with other provisions of this act; and the Secretary of the Treasury shall be, and he is hereby authorized to prescribe the form of the certificate to be used, and of the oaths to be taken, on the transportation of such goods, wares or merchandise, from the second or other district, into which they may be so brought, to the third district.

29th. That all goods, wares or merchandise, subject to ad valorem duty, and intended for exportation, with benefit of drawback, which shall be transported from one district to another, shall be accompanied by a copy from the invoice, of the cost thereof, certified by the collector of the district from which they may have been last re-shipped, which certified copy shall be produced to the collector of the district from which such goods, wares or merchandise, are intended to be exported; and such goods wares and merchandise, as well as all such goods, wares or merchandise, subject to ad valorem duty, as shall be exported from the district into which they may have been originally imported, shall be inspected by the appraisers at the time of exportation, in the manner provided by this act, on the importation of such goods, wares or merchandise; and if the same are found not to correspond with the original invoice, the said goods, wares or merchandise shall be subject to forfeiture, according to the provisions of the eighty-fourth section of an act, entitled, "An act to regulate the collection of duties on imports and tonnage," passed the second of March, one thousand seven hundred and ninety-nine.

30th. That in all cases of entry of goods, wares or merchandise, for the benefit of drawback, the time of twenty days shall be allowed, from the date of the clearance of the ship or vessel, in which the same shall have been laden, for taking the oaths completing the entry, and giving the exportation bonds for the same: *Provided*, That

the exporter shall have, in every other particular, complied with the regulations and formalities heretofore, and by this act established for entries of exportation of goods, wares or merchandise, for the benefit of drawback.

31st, That in all cases where goods, wares or merchandise entitled to debenture shall be re-shipped for transportation coastwise, before the necessary certificates are issued by the collector of the port where imported, the same shall be allowed to be entered for debenture, at the district to which they shall be so transported, without forfeiting the benefit of drawback: *Provided*, That the person or persons so entering said goods, wares or merchandise, shall produce, from the collector of the port from whence the same shall have been last shipped, a certificate that the coastwise certificates were not issued at the time of the sailing of the vessel on board which the said goods, wares or merchandise shall have been so shipped, and shall deliver the coastwise certificates required in such cases to the collector of the port where the same shall have been so entered, within two months from the date of entry, and before the said goods, wares or merchandise shall be entered for exportation.

32d. That in all cases where the owner, importer, consignee or agent of any goods, wares or merchandise entitled to debenture, may wish to transfer the same into packages other than those in which the said goods, wares or merchandise were originally imported, the collector of the port where the same may be, shall permit the said transfer to be made, if necessary for the safety or preservation thereof: *Provided*, That due notice of the same, in writing, setting forth sufficient cause for the said transfer, be given to the said collector, who shall appoint an inspector of the revenue, to ascertain if the said allegation be true, and, if found correct, to superintend said transfer, and to cause the marks and numbers upon the original packages to be inscribed upon the packages into which the said goods, wares or merchandise shall be transferred.

33d. That it shall not be necessary to insert the numbers upon packages in an entry of goods, wares or merchandise, subject to specific duty on importation or exportation, or to insert any such numbers in any coastwise or other certificate: *But it is expressly provided*, That in all cases where a separate certificate may be required for each package, the numbers shall be inserted therein.

34th. That in all cases where, under existing laws, spirituous liquors, entitled to debenture, shall have been shipped coastwise for the purpose of being laden immediately on board of some vessel in another district, for exportation, the same may be so laden on board of such vessel, without having been first deposited in the public warehouse: *Provided*, That all other regulations required by law shall have been complied with, and that such transportation of said spirituous liquors from one vessel to the other be made by the collector's order, and under the superintendence of an inspector of the revenue, and that a careful examination be made by him of the identity of the same, and of the quantity, quality, and packages thereof.

37th. That when goods, wares or merchandise, imported, and subject to duty as aforesaid, shall be re-shipped and transported coastwise, from one district to another, in the packages in which the same were imported, an invoice, or a copy of such invoice, or an extract therefrom, including all the articles with the charges thereon, which are re-shipped and transported coastwise as aforesaid, verified by the additional oath required by the fourth section of this act, and certified under the official seal of the collector, with whom the entry on the importation of such goods, wares or merchandise was made, shall be produced at the port to which the same shall be transported; and the same inspection of such goods, wares or merchandise, shall be made, as if they had been brought direct from a foreign port or place: *Provided*, That no appraisement of the said goods, wares or merchandise, shall be made at the said port, so as to change the amount of duties which may have been charged thereon, at the port of their original importation, if the same should have been there entered, according to the provisions of this act: except when transported from a port where there are no appraisers appointed by the government; and if the invoice, verified as aforesaid, shall not be so produced, such goods, wares or merchandise shall be deposited, and remain in the public warehouse, at the expense and risk of the owner thereof, until the invoice, verified and certified in the manner above required, shall be produced; and goods, wares or merchandise, imported and subject to duty as aforesaid, may be transported coastwise, to one or more districts within the United States.

By an act of 22d May, 1824, it was enacted, That the drawback allowed by law on plain silk, shall be allowed, although the said cloths, before the exportation thereof, shall have been coloured, printed, stained, dyed, stamped, or painted in the United States. But, whenever any such silks shall be intended to be so coloured, printed, painted, stained, dyed, or stamped, and afterwards to be exported from the United States, with privileges of drawback, each package thereof shall, before the same shall

be delivered from the public stores, be opened and examined by an inspector of the customs, and the contents thereof measured or weighed, and the quality thereof ascertained, and a sample of each piece thereof reserved at the custom-house; and a particular account or registry of such examination, describing the number of pieces in each package, their weight or measure, and the sample thereof reserved, shall be entered in the books of the custom-house; and after such examination, said goods shall be repacked in the original package, and the said original package shall be marked with a custom-house mark. And whenever any such goods, being thus coloured, printed, stained, dyed, stamped, or painted, shall be entered at the custom-house for exportation and drawback, the same shall be so entered in the original package, marked as aforesaid, and not otherwise, unless the person so entering the same, shall give satisfactory evidence to the collector or naval officer, or one of them, that such original package has been lost or destroyed by accident: and no such application for drawback shall be made except on the contents of entire packages; and upon application for such entry and drawback, the contents of the packages so offered, shall be examined by an inspector of the customs, and measured or weighed, and compared with the original entry, registry and samples; and if, upon such comparison and full examination, the collector shall be satisfied that the contents of each package are the same identical goods imported and registered as aforesaid, and not changed or altered, except by being coloured, printed, stained, dyed, stamped, or painted, as aforesaid, then the person, so entering such goods, shall be admitted to the oath prescribed by law, to be used in cases of application for exportation of goods for the benefit of drawback, and shall thereupon be entitled to drawback, as in other cases: *Provided*, That the exporter shall, in every other particular, comply with the regulations and formalities, heretofore established for the entries of goods for exportation and drawback, any coloured, printed, dyed, stamped, or painted silk, knowing the same not to be entitled to drawback, according to the provisions of this act, or shall wilfully misrepresent or conceal the contents or quality of any packages as aforesaid, the said goods, so presented or entered for drawback, shall be forfeited, and may be seized by the collector and proceeded with and the forfeiture distributed, as in other cases.

GENERAL REGULATIONS.

On the exportation of goods, by a vessel actually cleared out within one year from the date of the entry of the vessel, in which they were imported, a drawback will be allowed, provided you have complied with the formalities required by law; and that the amount of duties, on each exportation, amounts to not less than \$50 of the same importation.

The drawback allowed will be the amount of duties of the goods exported, which is due on their importation, by American vessels, deducting 2½ per cent. on the amount of this duty.—Act of May 13th, 1800.

This is applicable to all goods, except spirits; on spirits the deduction is two cents per gallon, and 3 per cent. on the amount of duty.

To secure the drawback on wines and spirits, they must be kept, while on shore; wholly in the custom-house stores; or rather under the keys of the custom house. They may, however be sent coastwise.

No drawback will be allowed on the following goods, viz.: "Butter, cod, whale, and other fish oil; playing cards; salt beef; salt pork, and other salted provisions; cod fish and other dried, pickled, or salted fish.

Nor is there any drawback allowed on the 10 per cent. additional duty paid by certain foreign vessels.—Act of May 13, 1800.

Goods may be transported coastwise once, and still remain entitled to debenture.

To secure that privilege, you should make a coastwise entry before you ship them; hand the entry to the debenture clerk, let the importer swear to it before the collector; get a permit for shipping, to accompany your entry; and then hand it to the surveyor, who will direct the permit to a shipping officer; and when the shipping officer has made his return, you are to obtain the coastwise certificate, for debenture; and send it to the person to whom the goods are consigned.

For ad valorem goods, it is best to state in your outward coastwise entry, and to cause to be stated in the custom-house. Coastwise certificate for debenture, the value of each package, separately.

The consignee, before the landing of the goods, is to make an inward-coastwise-entry, at the custom-house of the port of landing; swear to it before the Collector; get a permit for the landing of the goods; call on the surveyor to direct this permit to the proper officer; and see that nothing be landed, except in presence of this officer.

Goods may be transported coastwise, by land, for the benefit of drawback, between Boston and New-York, via Taunton and Rhode-Island Bridge; between Boston and Salem and Beverly, Boston and Newburyport, Boston and Ipswich, Boston and Marblehead, by the turnpike or other main road; between Boston and Providence, by the post-road; between Boston and Bristol, (R. I.) by the way of Dighton and Taunton.

Goods may be transported, coastwise, for the benefit of drawback, partly by water and partly by land, from the port of Philadelphia, by the way of Burlington, Bordenton, Lamberton, or New-Brunswick, and South Amboy to New-York: or from the port of New-York, by the way of South Amboy, New-Brunswick or Lamberton, Bordenton or Burlington, to Philadelphia; or from the port of Philadelphia, by way of Wilmington, Newport, Christiana Bridge, New-Castle, Port Penn, or Apoquinimink, and Sassafras river, and Elkton, Frenchtown or Bohemia, to Baltimore; or from the port of Baltimore, by the way of Elkton, Bohemia, or Frenchtown, and Port Penn, Apoquinimink, and Sassafras river, New-Castle, Christiana Bridge, Newport or Wilmington, to Philadelphia.

In such a case, you must comply with, on loading the waggon, and unloading same, the formalities for loading and for unloading vessels coastwise, for the benefit of drawback, and also with the conditions following, to wit:—

Due entry must be made with the collector of the district, from which it shall be intended to transport any merchandise, as aforesaid, in like manner as is required in respect to the transportation thereof coastwise, in pursuance of this act; and the said collector shall cause the merchandise, so entered to be inspected and marked in durable characters, by an officer of the customs, with the name of the said officer, and the date on which such inspection shall be made; and shall grant a permit for the transportation thereof, as aforesaid, therein designating the route, and expressing the marks, numbers, and contents of each chest, bale, box, or other package, and all other particulars required by this act, to be inserted in a certificate for the transportation coastwise, of goods, entitled to drawback, and shall and may, whenever he may deem the same necessary for the security of the revenue, cause each chest, bale, box, or other package, so permitted to be transported, to be secured with proper fastenings or under the seal of his office—and upon the arrival of any goods, wares, or merchandise, transported under a permit as aforesaid, and within twenty-four hours thereafter, report and entry shall be made to the collector of the district, as in the case of goods transported coastwise, pursuant to this act, at which time the permit aforesaid shall be surrendered, and the merchandise shall be inspected and compared therewith; and on being found to agree, shall be entitled to drawback, on the exportation thereof to a foreign port or place, and not otherwise. And if any merchandise so permitted to be transported as aforesaid, shall be transported by any other route, than that expressed in the permit, to be granted as aforesaid, or shall not be accompanied with the said permit, or if due entry shall not be made, at the port of arrival, as above required, and if the permit granted as aforesaid shall not be surrendered, or if the said merchandise shall be unpacked, or the contents, or any part thereof, changed before entry and inspection at the port of arrival, as above required, or if any mark, fastening or seal, placed thereon by direction of any officer of the customs, shall be defaced or broken, in each and every such case, the merchandise, in respect to which such omission or wrong doing shall happen, or the value thereof, shall be forfeited and recovered of the person or persons, making default in either of the cases aforesaid.

For goods subject to an ad valorem duty, when shipped coastwise, by land, or partly by land and partly by water, as above, for the benefit of drawback, it is necessary that each package should be marked with the date of shipment and with the Inspector's signature.

When making an importation coastwise, you should preserve the custom-house certificate which came from the port of importation, after the collector

has put upon it the date of the importation; it is necessary to produce this certificate, at the time of exportation for a foreign port, to get your drawback.

When goods, subject to an ad valorem duty, are transported coastwise, for the benefit of drawback, the safest plan is to put, in the coastwise-certificate, the value of each package, separately.

On shipping goods, to foreign ports, for the drawback, let the exporter go to the Collector's room in the custom-house, with an "Outward-foreign-entry, for the benefit of drawback;" get the importer to swear to it; then hand the entry to the debenture clerk; have a permit to accompany the entry; hand it to the surveyor, who will direct it to the shipping officer; see that no article be put on board except in the presence of the shipping officer; and furthermore (in the case of articles liable to a specific duty) let them not be shipped, until a weigher and gauger has certified, on the entry, the weight or gauge.

After the vessel has cleared out, let the exporter go to the debenture clerk; receive the entry; swear to it, before the collector; sign the debenture bond, and get some responsible person to sign this bond with him, and receive his debentures or his debenture-certificate.—All this, within twenty days from the date of the clearance of the vessel.

If either of these formalities is neglected, the exporter loses the debenture.

It is necessary to have the entries complete.—They should state the marks, nos. quantities, and contents; the name of the vessel and of the captain, by which the original importation was made; the date of importation, and the place where from; the name of the vessel and of the captain, by which the exportation is made, and where bound, specifying some particular port or place; to whom the goods were sold and delivered, if they have been sold; and if imported coastwise, by what vessel or waggon, what captain, or driver, and the date of the coastwise importation.

In entering, outward, wines and spirits, for drawback, the importer, in addition to the date of the entry of the vessel, should state the dates and number of bonds, given on receiving his various permits.

The debentures are paid by the collector, on the payment of the bonds, for the duties on the same goods.

When the exportation is from the district in which the importation was made, debentures are issued. But when the goods have been transported coastwise, they issue a certificate of exportation; with which, at the port of importation, you obtain the debentures.

Both the debentures and the certificates are issued payable to the order of the exporter, and are transferred, by endorsement and delivery, the same as a note of hand, or bill of exchange.

Bounty.

Rum manufactured in the United States from foreign molasses, is entitled, on exportation, to a bounty of four cents per gallon, provided it is at least first-proof.—Before casting this bounty, the wants and 2 per cent. more on the net gauges are deducted from the gauge of the casks.

Previous to a permit being granted, to ship it, the manufacturer and the shipper, are both to swear, before the collector, to the fact of its being (to the best of their knowledge and belief) made from foreign molasses; then a permit is obtained and directed as for foreign goods; and you must see that it is shipped, under the eye of the shipping officer, and that it is gauged and the proof tried, by another officer of the custom-house. The casks, before shipment, are to be branded or marked, in durable characters, with progressive Nos. and with the name of the owner at full length.

No bounty will be allowed, unless the quantity exported amounts to 150 gallons in one exportation.

On sugar refined in the United States, from foreign sugar, there is a drawback of 4 cents per lb. payable in thirty days after the clearance of the vessel; provided the bounty amounts to \$12, or upwards, in one exportation.

These bounties will be paid within 30 days, after the clearance of the vessel, and returns made, to the custom-house, by its officers.

The formalities are the same as those for New-England rum, except that it

1

1

Entry of pickled fish, intended to be exported, for the benefit of bounty, by
in the whereof is master bound for

(To be signed here by the shipper before shipment.)

Sworn to this
before me,

Form of Permit.

18

Collector.
Naval Officer.

On exportation of pickled fish of American fishery, for bounty, the exporter must make an outward-entry, of which the blank-form is above. He must fill up all but the oath; date the entry and sign it; then hand it to the collector who will sign the permit, on the back of the entry; then hand it to the surveyor, who will direct it to the shipping officer; then see that it be put on board, under the inspection of that officer. That officer will make his return of the shipment.

The bounty is 20 cents per barrel: but none will be allowed, unless the shipment amount to 50 barrels at least. This bounty is payable at the time you produce the certificate of landing, not however sooner than six months from the

date of the bond.—Vide law pages 150, 151.—Acts 29th July, 1813, and 3d March, 1819.

New-England rum, refined sugar, and pickled fish, are the only articles, the produce or manufacture of the United States, entitled to drawback or bounty.

Goods shipped to any state or territory immediately adjoining that of the United States, except to ports situated to the westward or southward of Louisiana, are not entitled to drawback.†

Drawback, however, is allowed on goods shipped to the north-west coast of America.

No drawback will be allowed on exportations made in vessels less than 30 tons burthen; and none unless the goods are exported by sea.

No drawback will be allowed on any article, unless the vessel by which the exportation is made is actually cleared out within one year, from the date of the entry of the vessel, by which the importation was made.

Drawback will be allowed, on exportation only from the district of original importation; or from a district in which vessels can enter from the Cape of Good Hope and places beyond the same.

By the act of March 2d, 1799, it is enacted, that,

Sec. 75. A drawback of duties, as prescribed by law, shall be allowed and paid on all merchandise imported, whereupon the duties shall have been paid, or secured to be paid within 12 calendar months after payment made, or security given, shall be exported to any foreign place, other than the dominions of any foreign state immediately adjoining to the United States,* either from the district of original importation, or from certain other districts; and all duties, drawbacks, and allowances, which shall be payable or allowable on any specific quantity of merchandise, shall be deemed to apply in proportion to any greater or lesser quantity: Provided, that no merchandise imported shall be entitled to drawback, unless the duties shall amount to 50 dollars at least; nor unless they shall be exported in the original casks, cases, chests, boxes, trunks, or other packages, in which they were imported, without diminution or change of the articles which were therein contained at the time of importation, in quantity, quality, or value, necessary or unavoidable wastage or damage only excepted;† Provided always, that it shall be lawful for the exporters of any liquors in casks, coffee in casks or other packages, cocoa in casks or other packages, or any unrefined sugars, to fill up the casks or packages out of other casks or packages, included in the same original importation, or into new casks or packages corresponding therewith, to be marked and numbered as the original casks or packages, in case the original casks or packages shall, in the opinion of the officer appointed to examine the same, be so injured as to be rendered unfit for exportation, and in no other case: Provided further, that the filling up or change of package be done under the inspection of a proper officer, appointed for that purpose by the collector and naval officer, where any, of the port or place, from which such liquors, coffee, or unrefined sugars are intended to be exported; and the drawback on articles so filled up, or of which the packages have been changed, shall not be allowed without such inspection.

And where articles are imported in bulk, they shall be exported in the packages, if any, in which they were landed; for which purpose the officer delivering the same, shall return the packages they may be put into, if any, with their marks and numbers, and they shall not be entitled to drawback, unless exported in such packages, which shall be deemed the packages of original importation, nor unless they fully agree with the return made by the said officer; and in respect to distilled spirits, wines, or teas, the certificates issued by the inspector of the revenue for such spirits, wines, or teas, shall be given up, and the drawback shall not be allowed on any such spirits, wines, or teas, as do not agree on examination with the certificates so given up.

* Vide act of January 5th, 1805.

† A broken package, or a cask, case, or other package, of which a part has been sold, is not entitled to debenture.

† Act of March 27th, 1804.

Sec. 78. In order to entitle the exporter of any merchandise to the benefit of drawback, he shall, previous to putting the same on board of any vessel for exportation, give 24 hours notice at least to the collector of the district from which the same are about to be exported, of his intention to export the same (unless in the case of distilled spirits, when 6 hours notice shall be deemed sufficient) and shall make entry in writing of the particulars thereof, and of the casks and other packages or parcels containing the same, or of which the same shall consist, and of their respective marks, numbers, and contents, and if imported articles, the name of the vessel and master's name, in which the person for or by whom, and the places from which they were imported, also the district into which the said merchandise were imported, if other than the district from which they are intended to be exported. And the form of the said entry shall be as follows :—

Entry of merchandise intended to be exported by (here insert the name or names) on board of the (insert the denomination and name of the vessel) whereof (insert the name of the master) is master, for (insert the port or place to which destined) for the benefit of drawback, which were imported into the district of (insert the district of original importation) on the (insert the date of importation) by (insert the name of the importer) in the (insert the denomination and name of the vessel) from (insert the foreign port or place whence they were imported) and brought into the district on the (insert the date of the vessel's entry) in the (insert the denomination and name of the vessel and master) from (insert the port from whence they arrived.)

Marks.	Numbers.	Packages and contents	Net cost of ad valorem articles having paid duties.	Weight or gauge.	Tare and draft, or allowance for leakage.

And in respect to the said imported articles, proof shall be made to the satisfaction of the collector and naval officer, where there is any, by the oath of the person or persons (including the exporter or exporters) through whose hands the said articles shall have passed, according to the best of their knowledge and belief, respecting the due importation of the said articles according to law, and in conformity to such notice of their identity, and of the payment, or securing the payment of the duties thereupon: Provided, that if through actual sickness or absence of the importer or other person, through whose hands the said merchandise intended to be so exported may have passed, and not otherwise, the proof required of them, or either of them, shall and may be accepted of from their known agent, factor, or the person who usually transacts their business: And the said collector shall direct the surveyor, where any, to cause to be inspected the merchandise so notified for exportation, and if they shall be found to correspond fully with the notice and proof concerning the same, the said collector, together with the naval officer, if any there be, shall grant a permit for lading the same on board of the vessel named in such notice and entry, which lading shall be performed under the superintendence of the officer, by whom the same shall have been so inspected; and the said exporter shall likewise make oath that the said goods, so noticed for exportation, and laden on board such vessel, previous to the clearance thereof, or within ten days after such clearance, are truly intended to be exported to the place whereof notice shall have been given, and are not intended to be re-landed within the United States, otherwise the said merchandise shall not be entitled to the benefit of drawback.

And the form of the direction to the surveyor of the port, where any, or to the officer who may inspect the said goods; and the permit for lading the said goods for exportation, shall be as follows:—

District of
Port of

The surveyor will cause the articles specified in (insert the name of the person making entry) entry to be examined, and if found to agree exactly therewith, will have them (weighed, gauged, or measured, as the case may require) and then permit the same to be laden on board the (insert the denomination and name of the vessel, and the master's name) master, for (insert the port of destination) for benefit of drawback.

A. B. Collector.
C. D. Naval Officer.

To the Surveyor of the port of

And in cases where the persons making entry as aforesaid, are the persons by whom the merchandise, intended to be exported, were originally imported into the United States, the said entry shall, after the lading of the said goods, be verified in manner following, to wit—

I (insert the name) do solemnly, sincerely and truly swear (or affirm) that the articles specified in the above, or annexed entry, were imported by me (or consigned to me, as the case may be) in the (insert the denomination and name of the vessel) whereof (insert the name) was master, from (insert the name of the port or place where from) that they were duly entered by me, at the custom-house of this port, and the duties paid (or secured to be paid thereon, as the case may be) that they are the same in quantity, quality and package (and value, if articles paying an ad valorem duty) as at the time of importation, necessary or unavoidable wastage or damage only excepted, and are now actually laden on board the (insert denomination and name of the vessel) whereof (insert the name) is master; and that they are truly intended to be exported by me in the said vessel, to the port of (insert the name of the port or place) and are not intended to be re-landed within the limits of the United States.

So help me God.

And the oath or affirmation to be taken by the importer, when goods are sold, to be exported by another person, shall be as follows:—

I (insert the name) do solemnly, sincerely and truly swear (or affirm) that the articles specified in the above or annexed entry, as imported by (or consigned to me, as the case may be) were truly imported by or consigned to me in the (insert denomination or name of the vessel) whereof (insert the name) is master, from (insert the port or place) that they were duly entered by me at the custom-house of _____ and the duties thereon paid (or secured to be paid, as the case may be) that they were the same in quantity, quality, package, necessary or unavoidable wastage or damage only excepted (and value, if articles paying an ad valorem duty) at the time of sale or delivery to (insert the name of the person or persons to whom sold or destined) as at the time of importation.

So help me God.

And the oath or affirmation to be taken, where goods are exported by a person other than the importer, shall be as follows:—

I (insert the name) do solemnly, sincerely and truly swear (or affirm) that the articles specified in the above or annexed entry, were purchased by me, of (insert the name of the person or persons from whom purchased) that they are now actually laden on board of the (insert the denomination and name of the vessel) whereof (insert the name) is master, and were at the time of such lading, and are now the same in quantity, quality, package, necessary or unavoidable wastage or damage only excepted (and value, if articles paying an ad valorem duty) as at the time of purchase, that they are truly intended to be exported by me, in the said vessel, to the port of (insert the name of the port or place) and are not intended to be re-landed within the limits of the United States.

So help me God.

And the oath or affirmation to be taken by any other person than the importer or exporter of merchandise, who may have bought and sold the same, or in whose possession the same may have been, shall be as follows:—

I (insert the name) do solemnly, sincerely and truly swear (or affirm) that the articles

of merchandise, specified in this entry, were purchased by me from (insert the name of the person from whom purchased) and were sold by me to (insert the name of the person to whom sold) and that they were not, to the best of my knowledge or belief, altered, or in any respect changed, in quantity, quality, value or package, necessary or unavoidable wastage or damage only excepted, while in my possession, or from the time of said purchase until the time of said sale.
So help me God.

By an act of 7th of May, 1822, it is enacted, that

Sec. 10. All laws which impose any duties on the importation of any merchandise into the territory of Florida, or on the exportation of any merchandise from said territory, or on the tonnage of vessels, or which allow any drawback on the exportation of any merchandise, other than such duties or drawbacks as are paid or allowed in other territories or places in the United States, are hereby repealed: Provided, that nothing in this act contained shall authorize the allowing of drawbacks on the exportation of merchandise from any place of said territory, other than on those which shall have been imported directly into the same, from a foreign place; and no drawback shall be allowed on any merchandise exported from any port of Florida which shall have been imported before the 10th of July, 1821.

By an act of 2d March, 1799, it is provided, that

Sec. 77. The districts from which merchandise may be exported, subject to drawback, be only the districts of original importation, and those ports at which vessels from the Cape of Good Hope, or from any place beyond the same, are permitted to make entry: Provided nevertheless, that such merchandise as are imported into a district other than the one from whence they are to be exported, shall not be entitled to drawback, unless they shall be accompanied with a certificate from the collector of the district, and naval officer, if any there be, into which they were originally imported, specifying the marks, numbers, and descriptions of the casks or other packages, with the names of the master and vessel in which the time when, and the place from whence they were imported, and where the articles are subject to duty, by weight, measure, or gauge, the quantity thereof; and where they are articles subject to duty ad valorem, the net amount of each package, on which duty has been paid or secured to be paid; and in all cases, the amount of the duties paid, or secured to be paid thereon, and by whom, and the names of the vessel and master in which they are shipped from such district, and by whom; and in order to entitle any person to such certificate, he shall make out an entry of all such merchandise, specifying the marks, numbers, and descriptions of the casks or packages and their contents, the names of the master and vessel in which the time when, by whom and the place from which they were imported, the names of the master and vessel in which they are intended to be laden, and district in the United States to which they are destined; and shall moreover prove the truth of such entry, in like manner as is before required for merchandise exported from a district of original importation; which requisites being complied with, and the collector and naval officer, if any there be, satisfied therewith, they shall grant such certificate; and such merchandise shall be entered with the collector of the district into which they shall be brought from the port or place of their original importation, by the person or persons so importing them, or to whom they may be consigned, specifying the names of the master and vessel in which, and the district from whence they are imported, together with the particulars of the packages, their marks, numbers, and their contents, and shall obtain a permit for the same previous to the landing or unloading thereof, and any merchandise, landed without such entry being made and permit obtained, shall not be entitled to be exported subject to drawback.

And the form of an entry of goods to be transported coastwise, for the purpose of being exported from another district, for the benefit of drawback, shall be as follows:—

Entry of merchandise intended to be shipped by (insert the name or names) on board the (insert the denomination and name of vessel) whereof (insert the name) is master, for (insert the port and district where bound) to be exported from thence for the benefit of drawback, which were imported into this district on the (insert the date of the

vessel's entry in which they were imported) by (insert the name of the importer) in the (insert the denomination and name of the vessel, and the master's name) from (insert the name of the foreign port or place.)

Marks.	Numbers.	Packages and contents.	Cost of articles paying duty ad valorem.	Weight or gauge.	Tare and draft or allowance for leakage.

And the form of a certificate for the transportation coastwise, of goods intended to be exported to another district, to be granted in pursuance of the entry aforesaid, shall be as follows:—

District of
Port of

We certify, that the merchandise hereinafter specified, which are now shipped by on board the of master, bound for the port of were duly imported into this district, on the day of by in the of master, from and the duties thereon paid, or secured to be paid, according to law.

Tare allowed.	Marks.	Numbers.	Packages, contents, value, and rates of duty collected or secured.	Amount of duties.
			Here insert each package in detail, the contents, quality, and value, if articles subject to duties ad valorem, with the rates of duty collected or secured, as the case may require.	

The amount of duties, paid or secured, being

dollars.

A. B. Collector.

C. D. Naval Officer.

And the form of an entry for goods arriving coastwise, accompanied with a certificate as aforesaid, for the purpose of obtaining a drawback, shall be as follows:—

Entry of merchandise, transported coastwise, for (insert the name or names of the consignee) in the (insert denomination and name of the vessel) whereof (insert the name) is master, from (insert the name of the port or district) for the purpose of being exported from the district of (insert the district in which they are to be unladen) for the benefit of drawback; which were imported in the district of (insert the district of original importation) on the (insert the date of importation) by (insert the importer's name) in the (insert the denomination and name of the vessel, and master's name) from (insert the foreign port or place from whence imported.)

Marks.	Numbers.	Packages.	Contents.

And on making the said entry, an oath or affirmation shall be taken, which shall be of the form following, to wit—

I (insert the name) do solemnly, sincerely and truly swear (or affirm) according to the best of my knowledge and belief, that the entry by me subscribed is just and true, that the merchandise therein mentioned have been duly imported, and the duties thereupon paid, or secured to be paid, according to law.

And the form of a permit for unlading goods transported coastwise, with a certificate as aforesaid, for the purpose of obtaining a drawback, shall be as follows:—

Port of

Permit (insert the name of the person making the entry) to land, from on board the (insert denomination and name of vessel, and name of master) master from (insert the port and district from which arrived, and the number of packages and contents, with their marks and numbers, agreeable to entry) having been brought coastwise from thence, for the purpose of being exported from this district, for the benefit of drawback.

A. B. Collector.

C. D. Naval Officer.

To the surveyor of the port of

Sec. 78. When any merchandise, subject to drawback, shall be entered for exportation from any other district than the one into which they were originally imported, the person intending to export the same, besides producing the certificate herein before directed, shall give the same notice, and make entry in like manner, and the merchandise therein expressed shall undergo the same examination, and shall be laden on board under regulations, in all respects conformable to what is required by law, relative to merchandise entitled to drawback, and intended to be exported from the place of original importation.

Sec. 80. For all merchandise entitled to drawback which shall be exported from the district into which they were originally imported, the exporter or exporters shall be entitled to receive from the collector of such district, a debenture or debentures, for the amount of the drawback, payable at the same time or times, respectively, on which the duties on the said merchandise shall become due. And it shall be the duty of the said collector to discharge such debentures out of the product of the duties arising on the importation of the goods exported as aforesaid.

Provided, that in respect to any merchandise, on which the whole or any instalment of the duties shall have been paid prior to an entry for exportation, the debenture for the amount of the drawback of such duties as shall have been paid, shall be made payable in 15 days, to be computed from the time of signing the bond, to be given as hereinafter directed. And provided, that all debentures shall be issued and made payable to the original importer of the merchandise, entered for exportation, whenever the same shall be requested, in writing, by the exporter, and not otherwise.

And where any merchandise are exported from any other district than the one into which they were originally imported, it shall be the duty of the collector of such district, together with the naval officer thereof, where there is one, to grant to the exporter a certificate expressing that such merchandise were exported from such district, with the marks, numbers, and descriptions of the packages and their contents, the names of the master and vessel in which, and the port to which they were exported, and by whom, and the names of the vessel and master in which they were brought, and by whom shipped at the district from whence they came, and the amount of the drawback to which they are entitled; and such certificate shall entitle the possessor thereof to receive from the collector of the district with whom the duties on the said goods were paid, or secured to be paid, a debenture or debentures for the amount of the drawback expressed in the said certificate or certificates, payable at the same time, and in like manner as is herein directed for debentures on merchandise exported from the port or place of original importation: Provided nevertheless, that the collector aforesaid may refuse to grant such debenture or debentures, in case it shall appear to him that any error has arisen, or any fraud

has been committed; and in case of such refusal, if the debenture or debentures claimed shall exceed 100 dollars, it shall be the duty of the said collector to represent the case to the comptroller of the treasury, who shall determine whether such debenture or debentures shall be granted or not. And provided always, that in no case of an exportation of goods shall a drawback be paid, until the duties on the importation thereof shall have been first received.

And the form of a certificate to be granted on the exportation to a foreign port of merchandise from a district, other than the district into which such goods were originally imported, shall be as follows:—

District of
Port of

We hereby certify, that the merchandise herein after specified, which were imported into the district of _____ on the _____ of _____ by _____ in the _____ of _____ master, from _____ and landed in this district, in the month of _____ out of the _____ of _____ master, from _____ (having been previously entered at this office by _____) have been exported hence by _____ in the _____ belonging to _____ master, bound for _____ having been previously inspected and (weighed, gauged, or measured, as the case may require) and that the said _____ with _____ both of _____ have entered into bond in pursuance of the laws in that case made and provided.

Marks.	Numbers.	Packages, contents, and rates of duties.	Amount of duties.
		Here insert, in detail, the packages exported, their quality, and contents, the value, if articles subject to duties ad valorem, the tare if articles on which tare is allowed, and the rates of duties paid.	

Net amount of drawbacks payable, _____ dollars and _____ cents.
A. B. Collector.
C. D. Naval Officer.

And the form of the debentures, to be issued as aforesaid, shall be as follows:—

No. _____ District of _____
Debenture for _____ Port of _____

In pursuance of law, I hereby certify, that the sum of (here insert the amount) will be due from the United States of America, payable at this office, to (here insert the name of the exporter, or his known agent or attorney) or order, on the (here insert the time when payable) for drawback of duties on merchandise imported by (here insert the name of the importer and the denomination and name of the vessel in which they were imported) and exported by the said (here insert the name of the exporter)—Provided the duties arising on the importation of the said merchandise shall have been discharged prior to the said time.

A. B. Collector,

Countersigned,
C. D. Naval Officer.

And for the purpose of maintaining the credit of the said debentures, it is hereby declared, that the debentures to be issued as aforesaid, shall be assignable by delivery and endorsement of the parties, who may receive the same; and in all cases where payment shall be refused by the collectors of the districts where the said debentures were granted, in consequence of the non-payment of the duties which accrued on the importation of the goods for which such debentures were issued, for a longer time than three days after the same shall have been due and payable, said refusal to be proved in the same manner as in the case of non-payment of bills of exchange, it shall be lawful for the posses-

sor or assignee of any debenture, upon which payment has been refused as aforesaid, to institute and maintain, in the proper circuit or district court of the United States, a suit against the person to whom such debenture was originally granted, or against any endorser thereof, whereby to recover the amount of such debenture, with interest at the rate of six per centum per annum, from the time when the same became due and payable. And in all suits for the recovery of money upon debentures issued by the collectors of the customs as aforesaid, it shall be the duty of the court in which such suits shall be pending, to grant judgment at the return term, unless the defendant or defendants shall, in open court, exhibit some plea, on oath or affirmation, by which the court shall be satisfied that a continuance, until the next succeeding term, is necessary to the attainment of justice; in which case, and not otherwise, a continuance until the next term may be granted.

Sec. 81. Before the receipt of any debenture, in case of exportation from the district of original importation, and in case of exportation from any other district before the receipt of any such certificate, as is herein before required to be granted, the person applying for such debenture or certificate shall, previous to such receipt, and before the clearance of the vessel in which the merchandise were laden for exportation, or within 20 days after such clearance, give bond, with one or more sureties, to the satisfaction of the collector, who is to grant such debenture or certificate, as the case may be, in a sum equal to double the amount of the sum for which such debenture or certificate is granted, conditioned, that the said goods, or any part thereof, shall not be re-landed in any port or place within the limits of the United States, and that the said exporter or exporters shall produce, within the time herein limited, the proofs and certificates required of the said merchandise, having been delivered without the limits aforesaid.

And the form of the bond aforesaid shall be as follows :—

Know all men, by these presents, That we _____ of the _____ of _____ are held and firmly bound unto the United States of America, in the sum of _____ for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, and administrators, jointly and severally, by these presents. Witness our hands and seals, this _____ day of _____ one thousand _____

Whereas the following merchandise has been duly imported into the United States, to wit—(here particularize the person or persons by whom the several articles were imported, the denomination and name of vessel, master's name, from whence, into what district, and when imported, together with the marks, numbers, description of, and number of packages, with their contents) which said merchandise hath been re-shipped by the above bounden _____ in order to export the same in the _____ of _____

_____ master, now in the port of _____ and bound for _____ The condition of this obligation therefore is such, that if the aforesaid recited merchandise, or any part thereof, be not re-landed in any port or place within the limits of the United States, and if the certificates and other proofs required by law of the delivery of the same at the aforesaid port of _____ or at any other port or place without the limits of the United States as aforesaid, shall be produced at this office, within _____ from the date hereof, then this obligation shall be null and void, but otherwise to remain in full force and virtue.

Sealed and delivered }
in the presence of }

That all bonds which may be given for any merchandise exported from the United States, and on which any drawback of duties or allowance shall be payable, in virtue of such exportation, shall and may be discharged, and not otherwise, by producing within one year from the date thereof, if the exportation be made to any port of Europe or America, or within two years, if made to any part of Asia or Africa, a certificate under the hand of the consignee at the foreign port or place to whom the said merchandise shall have been addressed, therein particularly setting forth and describing the articles so exported, their marks, numbers, description of packages, the number thereof, and their actual contents, and declaring that the same have been received by them from on board the vessel, specifying the names of the master and vessel, from which they were so received, and where such merchandise are not consigned or addressed to any particular person at the foreign port or place to which the vessel is destined or may arrive, but where the master or other person on board

such vessel may be the consignee of such merchandise, a certificate from the person to whom such merchandise may be sold or delivered by such master or other person, shall be produced to the same effect as that required if the persons receiving the same were originally intended to be the consignees thereof. And in addition to the certificate aforesaid, it shall be necessary to produce a certificate under the hand and seal of the consul or agent of the United States, residing at the said place, declaring either that the facts stated in the certificate of such consignee, or other person aforesaid, are to his knowledge true, or that such certificate is deserving of full faith and credit; which certificates of the consignee or other person, and consul, or agent, shall, in all cases, as respects the landing or delivery of the said merchandise, be confirmed by the oath or affirmation of the master and mate, if living, or in case of their death, by the oath or affirmation of the two principal surviving officers of the vessel in which the exportation shall be made; and in all cases where there shall be no consul or agent of the United States residing at the said place of delivery, the certificate of the consignee, or other person herein before required, shall be confirmed by the certificate of two reputable American merchants residing at the said place, or if there are no such American merchants, then by the certificate of two reputable foreign merchants, testifying that the several facts stated in such consignee or other person's certificate are, to their knowledge, just and true, or that such certificate is, in their opinion, worthy of full faith and credit; which certificate shall also be supported by the oath or affirmation of the master and mate, or other principal officers of the vessel in manner as before prescribed, which oath or affirmation of the said master and mate, or other principal officers, shall in all cases, when taken at a foreign place, be taken and subscribed before the consul or agent of the United States residing at such foreign place, if any such consul or agent reside thereat.

And in cases of loss by sea, or by capture or other unavoidable accident; or when, from the nature of the trade, the proofs and certificates before required are not, and cannot be procured, the exporters shall be allowed to adduce to the collector of the port of exportation such other proofs as they may have, and as the nature of the case will admit; which proofs shall, with a statement of all the circumstances attending the transaction, within the knowledge of such collector, be transmitted to the comptroller of the treasury, who shall have power to allow a further reasonable time for obtaining the proofs aforesaid; or if he be satisfied with the truth and validity of the proofs adduced, to direct the bond or bonds of such exporters to be cancelled. Provided, that if the amount of such bond shall not exceed the penal sum of 200 dollars, the collector, with the naval officer, where there is one, and alone where there is none, may, pursuant to such rules as shall be prescribed by the comptroller of the treasury, admit such proof as may be adduced; and if they deem the same satisfactory, cancel such bond accordingly.

And the form of the certificate of a consignee, declaring the delivery of merchandise at a foreign port, shall be as follows:—

I (A. A. or we B. B. and C. C.) of the (city or town) of _____ (merchant, or merchants and copartners in trade) do hereby certify, that the goods or merchandise herein after described, have been landed in this (city, town or port) between the _____ and _____ days of _____ from on board the _____ of _____ whereof G. G. is at present master, viz. (here insert the particular articles delivered in manner following, as the case may require—namely,

A. B. No. 1. a 10. ten hogsheads	} Containing fourteen thousand pounds weight of	
C. D. No. 3. 6. 9. 15. four tierces		coffee.
E. F. No. 14. 18. 22. 25. 27. 30.	} Eight hogsheads, containing ten thousand pounds	
33. 36.		weight of brown sugar.
G. H. No. 21. a 30.	Ten chests, containing seven hundred weight of hyson tea.	
I. K. 7. 16. 19.	Three bales, containing one hundred and fifty pieces of nankeen—)	

which, according to the bills of lading for the same, were shipped on board the _____ at the port of _____ in the United States of America, on or about the _____ day of _____ and consigned to (me or to us) by _____ of _____ aforesaid merchant (or by the master of the said _____).
Given under (my or our) hands, at the (city of) _____ this _____ day of _____

And the form of the oath or affirmation of the principal officers of a vessel, confirming the landing of merchandise at a foreign port, shall be as follows:—

Port of

We, G. G. master, and H. H. mate of the _____ of _____ lately arrived from the port of _____ in the United States of America, do solemnly (swear or affirm) that the goods or merchandise enumerated and described in the preceding certificate, dated the _____ day of _____ and signed by A. A. of the city of _____ merchant, were actually delivered at the said port, from on board the said within the time specified in the said certificate.

Sworn or affirmed, at the city of _____ }
before me, this _____ day of _____ }

And the form of a verification of the delivery of merchandise at a foreign port, to be executed by a consul or agent of the United States, shall be as follows:—

I, M. M. consul (or agent) of the United States of America, at the city of _____ do declare, that the facts set forth in the preceding certificate, subscribed by A. A. of the said city, merchant, and dated the _____ day of _____ are, to (my knowledge, just and true—or are, in my opinion, just and true) and deserving full faith and credit.

In testimony whereof, I have hereunto subscribed my name, and affixed the seal of my office, at _____ this _____ day of _____
M. M. Consul.

And the form of a verification of the delivery of merchandise, to be executed by American or foreign merchants, as the case may require, shall be as follows:—

We _____ residing in the city of _____ do declare, that the facts stated in the preceding certificate, signed by _____ of the said (city) merchant, on the _____ day of _____ are (to our knowledge, just and true, or are in our opinion, just and true, and worthy of full faith and credit.) We also declare that there is (no consul or other public agent for the United States of America, or American merchants, as the case may require) now residing at this place.

Dated at the city of _____ this _____ day of _____

R. S.
T. L.

And it shall be lawful for the consuls or agents of the United States, residing at the foreign ports, to demand 25 cents for administering each oath or affirmation aforesaid, and one dollar for granting each certificate as aforesaid; and if any consul or agent shall demand other or greater fees than are allowed as aforesaid, his bond shall be forfeited.

Sec. 82. If any merchandise, entered for exportation with intent to drawback the duties, or to obtain any allowance given by law, on the exportation thereof, shall be landed within any port or place within the limits of the United States as aforesaid, all such merchandise shall be subject to seizure and forfeiture, together with the vessel from which such merchandise shall be landed, and the vessels or boats used in landing the same; and all persons concerned therein shall, on indictment and conviction thereof, suffer imprisonment for a term not exceeding six months; and for discovery of frauds, and seizure of merchandise relanded contrary to law, the several officers, established by this act, shall have the same powers, and, in case of seizure, the same proceedings shall be had, as in the case of merchandise imported contrary to law.

Sec. 84. If any merchandise of which entry shall have been made in the office of a collector, for the benefit of drawback or bounty upon exportation, shall be entered by a false denomination, or erroneously as to the time when and the vessel in which they were imported, or shall be found to disagree with the packages, quantities, or qualities, as they were at the time of original importation, except such disagreement as may have been occasioned by necessary or unavoidable wastage or damage only, and except also in cases where permission shall have been obtained according to law, to alter or change the quantities or packages thereof, all such merchandise, or the value thereof to be recovered

of the owner or person making such entry, shall be forfeited. Provided, that the said forfeiture shall not be incurred, if it shall be made appear to the satisfaction of the collector and naval officer of the district, if there be a naval officer, and if there be no naval officer, to the satisfaction of the said collector, or of the court in which a prosecution for the forfeiture shall be had, that such false denomination, error, or disagreement happened by mistake or accident, and not from any intention to defraud the revenue.

Sec 1. A drawback of six cents for every gallon of spirits, not below first proof, distilled within the United States, or the territories thereof, shall be allowed on all such spirits as shall be exported to any foreign port or place, other than the dominions of any foreign state immediately adjoining to the United States,* adding to the allowance upon every gallon of such spirits so distilled from molasses, four cents, which allowances shall be made without deduction : Provided, That the quantity so exported shall amount to one hundred and fifty gallons at the least, to entitle an exporter thereof, to drawback, and that no drawback shall be allowed whenever any of the said spirits shall be exported otherwise than in vessels not less than thirty tons burden.—Act of April 30th, 1816.

Sec. 2. In order to entitle the exporter or exporters to the benefit of drawback allowed by this act, on such spirits so distilled, the vessels or casks containing the same shall be branded or otherwise marked, in durable characters, with progressive numbers, with the name of the owner, the quantity thereof, to be ascertained by actual gauging, and the proof thereof. And the exporter of such spirits shall, moreover, previous to putting or lading the same on board of any ship or vessel for exportation, give six hours notice at least to the collector of the customs for the district from which the same are about to be exported, of his or her intention to export the same; and shall make entry in writing, of the particulars thereof, and of the casks or vessels containing the same, and of their respective marks, numbers, and contents, and of the place or places where deposited, and of the port or place to which, and ship or vessel in which they or either of them shall be so intended to be exported; and the form of the said entry shall be as follows :

Entry of domestic spirits, intended to be exported by (here insert the name or names) on board of the (insert denomination and name of the vessel,) whereof (insert the name of the master,) is master, for (insert the port or place to which destined,) for the benefit of drawback.

Marks,	Numbers.	Casks and Contents.	Gauge.

And the said collector shall, in writing, direct the surveyor or other inspecting officer to inspect, or cause to be inspected, the spirits so notified for exportation, and if they shall be found to correspond, fully with the notice concerning the same, and shall be so certified by the said surveyor, or other inspecting officer, the said collector, together with the naval officer, if any there be, shall grant a permit for lading the same, on board of the ship or vessel named in such notice and entry as aforesaid : which lading shall be performed under the superintendence of the officer by whom the same shall have been so inspected: and the said exporter or exporters, shall likewise make oath, that the said spirits, so notified for exportation, and laden on board such ship or vessel, previous to the clearance thereof, or within twenty days after such clearance, are truly intend-

ed to be exported to the place whereof notice shall have been given, and are not intended to be relanded within the United States, or the territories thereof.

Sec. 3. For all distilled spirits which shall be exported to any foreign port or place, and which shall be entitled to the benefit of drawback, in virtue of this act, the exporter or exporters shall be entitled to receive from the collector of the customs for such district, a debenture or debentures assignable by delivery and endorsement for the amount of the drawback to which such spirits are entitled, which shall be received in payment of direct taxes and internal duties in the collection district in which the same shall be granted: Provided always, That the collector aforesaid, may refuse to grant such debenture or debentures, in case it shall appear to him that any error has arisen, or any fraud has been committed; and in case of such refusal, if the debenture or debentures claimed shall exceed one hundred dollars, it shall be the duty of the said collector to represent the case to the comptroller of the treasury, who shall determine whether such debenture or debentures shall be granted or not. And provided further, That in no case of an exportation of spirits, entitled to drawback, in virtue of this act, shall a debenture or debentures issue, unless the exporter or exporters shall, before the clearance of the ship or vessel in which the spirits were laden for exportation, or within twenty days after such clearance, make oath or affirmation that the said spirits notified for exportation as aforesaid, and laden on board such ship or vessel, are truly intended to be exported to the place whereof notice shall have been given, and are not intended to be relanded within the United States; and shall moreover give bond, with one or more sureties, to the satisfaction of the collector, in a sum equal to double the amount of the sum for which such exporter may be entitled to claim a debenture, conditioned that the said spirits, or any part thereof, shall not be relanded in any port or place within the limits of the United States, and that the exporter or exporters shall produce, within the time limited, the proofs and certificates required of the said spirits having been delivered without the limits aforesaid.

Sec. 4. The said bond shall be drawn, as near as may be, in the same form, and may be discharged in the same manner, as are, or may be prescribed by law in relation to cases where drawback is allowed on the exportation of merchandise imported into the United States, and the like penalties shall be incurred, and proceedings had, whether in regard to officers of the United States or other persons, and the same fees be allowed in cases relative to drawback on domestic distilled spirits, as in cases relative to drawback, on foreign spirits; and the form of the said bond, and of the other documents, oaths, and affirmations, not herein inserted, shall be prescribed by the treasury department.—Act of April 30, 1816.

Sec. 5. In all cases in which drawback shall be claimed for spirits made out of molasses, on oath or affirmation, shall be made by two reputable persons, one of whom shall not be the exporter, that, according to their belief, the said spirits were distilled from molasses of foreign production; which oath or affirmation, in case the collector of the customs shall not be satisfied therewith, shall be supported by the certificate of a reputable distiller to the same effect.—Act of February 6th, 1818.

Sec. 6. In addition to the duty at present authorized to be drawn back on sugar refined within the United States, and exported therefrom, there may hereafter be drawn back on such refined sugar, when made out of sugar imported into the United States, the further ~~sum~~ of four cents per pound without deduction, which shall be allowed under the same provisions with the duty now permitted to be drawn back; and furthermore, on the express condition that the person exporting the same shall swear, or affirm that the same, according to his belief, was made out of sugar imported from a foreign port or place; which oath or affirmation, in case the collector of the customs shall not be satisfied therewith, shall be supported by the certificate of a reputable refiner of sugar to the same effect, and that the drawback on refined sugar heretofore imported, be allowed, subject to the regulations applicable to the drawback of duties on other imported articles.—*Ibid.*

Sec. 7. If any principal or assistant collector of the internal revenue, or collector of the customs, or other officer, shall neglect to perform the duties enjoined upon him by this act, he shall, on conviction thereof, forfeit and pay a sum not less than one hundred dollars, nor more than five hundred dollars.—*Ibid.*

Sec. 4. No drawback shall be allowed of the duties paid, on any wines or spirits which shall be imported into the United States, after the first day of June next, unless such wines or spirits have been deposited in public or other stores, under the provisions of this act, and there kept from their landing to their shipment.—Act of April 20, 1818.

Sec. 24. In all cases of entry of merchandise, for the benefit of drawback, the time of twenty days shall be allowed, from the date of the clearance of the ship or vessel, in which the same shall be laden, for giving the exportation bonds for the same: Provided, that the exporter shall in every other particular, comply with the regulations and formalities heretofore established for entries of exportation, for the benefit of drawback.—*Ibid.*

Sec. 1. In addition to the forfeitures and penalties heretofore provided by law, for making a false entry with the collector of any district, of any goods, wares, or merchandise, for the benefit of drawback or bounty on exportation, the person making such false entry shall, (except in the cases heretofore excepted by law,) forfeit and pay to the United States a sum equal to the value of the articles mentioned or described in such entry; to be sued for, recovered, distributed, and accounted for, in the manner prescribed by the act, entitled "An act to regulate the duties on imports and tonnage," passed on the second day of March, one thousand seven hundred and ninety-nine.—Act of Feb. 20, 1819.

Sec. 4. There shall be allowed a drawback of the duties by this act, imposed on goods, wares, and merchandise, imported into the United States, upon the exportation thereof within the time, and in the manner prescribed by the existing laws, subject to the following provisions, that is to say, that there shall not be an allowance of the drawback of duties for the amount of the additional duties, by this act, imposed on goods imported in vessels not of the United States; that there shall not be an allowance of the drawback, in case of foreign dried and pickled fish, and other salted provisions, fish oil, or playing cards, that there shall be deducted and retained from the amount of the duties on goods exported with the benefit of drawback, (other than spirits) two and a half per centum; and that there shall be retained in the case of spirits exported with the benefit of drawback, two cents per gallon upon the quantity of spirits, and also three per centum on the amount of duties payable on the importation thereof. But nevertheless, the provisions of this act shall not be deemed in any wise to impair any rights and privileges which have been, or may be acquired, by any foreign nation under the laws and treaties of the United States, upon the subject of exporting goods from the United States, with the benefit of a drawback of the duties payable upon the importation thereof—Act of April 27th, 1816.

A drawback is allowed on the duties imposed for goods by the acts "to increase the duties on iron, &c. and to increase the duties on certain manufactured articles, &c." both passed April 20, 1818; and also by the act "to regulate the duties on certain wines," passed March 3d, 1819, upon the exportation thereof within the time and manner prescribed in the section immediately above.

Sec. 5. After the thirtieth day of June next, in all cases of entry of merchandise for the benefit of drawback, the time of twenty days shall be allowed, from the date of the entry, for giving the exportation bonds for the same: Provided, that the exporter shall, in every other particular, comply with the regulations and formalities, heretofore established for entries of exportation for the benefit of drawback.—*Ibid.*

Debentures issued upon the exportation of spirits distilled from molasses, and sugars refined within the United States, shall be payable within 30 days after the date of their issue by the collectors by whom they were issued—Act of March 3d, 1821.

CHAPTER XXVII.

FINES AND FORFEITURES.

Sec. 89. All penalties accruing by any breach of the act of March 2, 1799, shall be sued for, and recovered with costs of suit, in the name of the United States of America; and the trial of any fact, which may be put in issue, shall be within the judicial district in which any such penalty shall have accrued, and the collector, within whose district the seizure shall be made, or forfeiture incurred, is hereby enjoined to cause suits for the same to be commenced without delay, and prosecuted to effect; and is moreover authorized to receive from the court within which such trial is had, or from the proper officer thereof, the sum or sums so recovered, after deducting all proper charges to be allowed by the said court, and on receipt thereof the said collector shall pay and distribute the same without delay, according to law, and transmit quarter yearly to the treasury an account of all moneys by him received for fines, penalties and forfeitures, during such quarter. And all vessels, merchandise, which shall become forfeited in virtue of this act, shall be seized, libelled, and prosecuted as aforesaid, fourteen days notice being given of such seizure and libel, by causing the substance of such libel, with the order of the court thereon, setting forth the time and place appointed for trial, be inserted in some newspaper published near the place of seizure, and also by posting up the same in the most public manner, for the space of fourteen days, at or near the place of trial; for which advertisement a sum not exceeding ten dollars shall be paid: And proclamation shall be made in such manner as court shall direct; and if no person shall appear and claim any such vessel, or merchandize, and give bond to defend the prosecution thereof, and to respond the cost in case he shall not support his claim, the court shall proceed to hear and determine the cause according to law; and upon the prayer of any claimant to the court, that any vessel or merchandize, so seized and prosecuted, or any part thereof, should be delivered to such claimant, it shall be lawful for the court to appoint three proper persons to appraise such vessel, merchandise, who shall be sworn in open court for the faithful discharge of their duty; and such appraisement shall be made at the expense of the party on whose prayer it is granted; and on the return of such appraisement, if the claimant shall, with one or more sureties, to be approved of by the court, execute a bond in the usual form of the United States, for the payment of a sum equal to the sum at which the vessel, or merchandize, so prayed to be delivered, as appraised, and moreover produce a certificate from the collector of the district wherein such trial is had, and of the naval officer thereof, if any there be, that the duties on the merchandize, or tonnage duty on the vessel, so claimed, have been paid or secured in like manner, as if the merchandize, or vessel had been legally entered, the court shall, by rule, order such vessel and merchandize, to be delivered to the said claimant, and the said bond shall be lodged with the proper officer of the court, and if judgment shall pass in favour of the claimant, the court shall cause the said bond to be cancelled; but if judgment shall pass against the claimant, as to the whole, or any part of such vessel or merchandize, and the claimant shall not within twenty days thereafter pay into the court, or to the proper officer thereof, the amount of the appraised value thereof, with the costs, judgment shall and may be granted upon the bond on motion in open court, without further delay. And when any prosecution shall be commenced, on account of the seizure of any vessel, or merchandize, and judgment shall be given for the claimant or claimants; if it shall appear to the court before whom such prosecution shall be tried, that there was a reasonable cause of seizure, the said court shall cause a proper certificate or entry to be made thereof, and in such case the claimant or claimants shall not be entitled to costs, nor shall the person who made the seizure, or the prosecutor, be

liable to action, suit, or judgment, on account of such seizure and prosecution: Provided, That the vessel, or merchandise, be after judgment forthwith returned to such claimant or claimants, his, her, or their agent or agents; And provided, That no action shall be maintained unless the same shall have been commenced within three years next after the penalty or forfeiture was incurred.

Sec. 90. All vessels or merchandise which shall be condemned by virtue of this act, and for which bond shall not have been given agreeably to the provisions in the foregoing section, shall be sold by the marshal or other proper officer of the court in which condemnation shall be had, to the highest bidder, at public auction, by order of such court, and at such place as the court may appoint, giving at least 15 days notice (except in cases of perishable goods) in one or more of the public newspapers of the place where such sale shall be; or if no paper is published in such place, in one or more of the papers published in the nearest place thereto; for which advertising, a sum not exceeding five dollars shall be paid. And the amount of such sales, deducting all proper charges, shall be paid within ten days after such sale by the person selling the same, to the clerk or other proper officer of the court directing such sale, to be by him, after deducting the charges allowed by the court, paid to the collector of the district in which such seizure or forfeiture has taken place, as herein before directed.

Sec. 91. All fines, penalties, and forfeitures, recovered by virtue of this act (and not otherwise appropriated) shall, after deducting all proper costs and charges, be disposed of as follows:—one moiety shall be for the use of the United States, and be paid into the treasury thereof, by the collector receiving the same; the other moiety shall be divided between, and paid in equal proportions to the collector and naval officer of the district, and the surveyor of the port, wherein the same shall have been incurred, or to such of the said officers as there may be in the said district; and in districts where only one of the aforesaid officers shall have been established, the said moiety shall be given to such officer: Provided nevertheless, that in all cases where such penalties, fines, and forfeitures shall be recovered in pursuance of information given to such collector, by any person other than the naval officer or surveyor of the district, the one-half of such moiety shall be given to such informer, and the remainder thereof shall be disposed of between the collector, naval officer, and surveyor or surveyors, in manner aforesaid: Provided also, that where any fines, forfeitures, and penalties, incurred by virtue of this act, are recovered in consequence of any information given by any officer of a revenue cutter, they shall, after deducting all proper costs and charges, be disposed of as follows:—one fourth part shall be for the use of the United States, and paid into the treasury thereof in manner as before directed; one fourth part for the officers of the customs, to be distributed as herein before set forth; and the remainder thereof to the officers of such cutter, to be divided among them agreeably to their pay: And provided likewise, that whenever a seizure, condemnation, and sale of merchandise, shall take place within the United States, and the value thereof shall be less than 250 dollars, that part of the forfeiture which accrues to the United States, or so much thereof as may be necessary, shall be applied to the payment of the cost of prosecution: And be it further provided, that if any officer, or other person, entitled to a part or share of any of the fines, penalties, or forfeitures, incurred in virtue of this act, shall be necessary as a witness on the trial for such fine, penalty, or forfeiture, such officer or other person may be a witness upon the said trial; but in such case he shall not receive nor be entitled to any part or share of the said fine, penalty or forfeiture, and the part or share to which he otherwise would have been entitled, shall revert to the United States.

When prosecution of ship or goods fails, if the court shall certify that there was reasonable cause of seizure, costs shall not be recovered by claimants, nor shall the officer be subjected to an action.—Vide page 323, sec. 116.

By act of March 3d, 1797, it is enacted, that,

1. Whenever any person or persons, who shall have incurred any fine, penalty, forfeiture, or disability, or shall have been interested in any vessel or merchandise which shall have been subject to any seizure, forfeiture, or disability, by force of any present or future law of the United States, for levying or collect-

ing any duties or taxes, or by force of any present or future act, concerning the registering and recording of vessels, or any act concerning the enrolling and licensing vessels employed in the coasting trade or fisheries, and for regulating the same, shall prefer his petition to the judge of the district in which such fine, penalty, forfeiture, or disability, shall have accrued, truly and particularly setting forth the circumstances of his case, and shall pray that the same may be mitigated or remitted, the said judge shall inquire, in a summary manner into the circumstances of the case, first causing reasonable notice to be given to the persons claiming such fine, penalty, or forfeiture, and to the attorney of the United States for such district, that each may have an opportunity of showing cause against the mitigation or remission thereof; and shall cause the facts, which shall appear upon such inquiry, to be stated and annexed to the petition, and direct their transmission to the secretary of the treasury of the United States, who shall thereupon have power to mitigate or remit such fine, forfeiture, or penalty, or remove such disability, or any part thereof, if, in his opinion, the same shall have been incurred without wilful negligence, or any intention of fraud, in the persons incurring the same; and to direct the prosecution, if any shall have been instituted for the recovery thereof, to cease and be discontinued upon such terms or conditions as he may deem reasonable and just.

3. Nothing herein contained shall be construed to affect the right or claim of any person, to that part of any fine, penalty, or forfeiture, incurred by the breach of any of the laws aforesaid, which such person shall or may be entitled to by virtue of the said laws, in cases where a prosecution has been commenced, or information has been given, before the passing of this act, or any other act relative to the mitigation or remission of such fines, penalties, or forfeitures; the amount of which right and claim shall be assessed and valued by the proper judge, or court, in a summary manner.

By the act of February 20th, 1819, it is provided, that,

Sec. 1. In addition to the forfeitures and penalties heretofore provided by law, for making a false entry with the collector of any district of any merchandise, for the benefit of drawback or bounty on exportation, the person making such false entry shall (except in the cases heretofore excepted by law) forfeit and pay to the United States a sum equal to the value of the articles mentioned or described in such entry; to be sued for, recovered, distributed, and accounted for, in the manner prescribed by the act, entitled "An act to regulate the duties on imports and tonnage," passed on 2d March, 1799.

CHAPTER XXVIII.

COMMERCIAL REGULATIONS.

The limits of this work will not permit the insertion of all the information collected on this subject. Such matter, accordingly, has been selected as has been deemed most useful, and concerning those ports with which our trade is chiefly carried on.

ALEXANDRIA AND ROSETTA.

The chief ports of Egypt. These places are distant from each other about 50 miles, and from Cairo about 400 miles, and it is at the one or the other that the ships discharge their goods destined for Cairo, and take in their return cargoes. Of these two harbours, Rosetta is by far the most considerable. The exports from Egypt are many kinds of drugs, Mocha coffee, wax, wool, mother-

of-pearl, white and coloured linens, sugars, spices, elephant's teeth, hides, &c. The imports are arsenic, black lead, antimony, quicksilver, vitriol, brass wire, tin, Venetian steel, lead, paper, satins of Florence, cloths of all sorts, dye woods, hardware, and glass beads. Lat. of Alexandria $31^{\circ} 15' N.$ Long. $30^{\circ} 16' E.$ Lat. of Rosetta $31^{\circ} 24' N.$ Long. $30^{\circ} 58' E.$

For weights and measures, vide page 36.

For moneys and exchange, vide page 56.

ALGIERS,

A seaport on the south shore of the Mediterranean, on the coast of Barbary, latitude $36^{\circ} 49' N.$ long. $2^{\circ} 13' E.$ It is likely, at no very distant period, to rise into some importance as a commercial port, from the necessity which has recently been forced upon the inhabitants, first, by the fleets of the United States, and afterwards by those of the European powers, not to depend exclusively on piracy for their support, but to draw something from the more than ordinary fertility of the soil, and their favourable situation for commerce. At present the exports are, wheat and barley, olive oil, fruits, wax, honey, hides and skins, wool, ostrich feathers, and some live cattle. The imports are spices of all sorts, rum, superfine cloths of the most gaudy colours, fine muslins, gold and silver embroideries, damasks, calicoes, and linen of fine quality, lead, tin, pewter, and dye woods, but these in small quantities.

For weights and measures, vide page 38.

For moneys, &c. vide page 56.

Treaties were concluded with Algiers by our naval commanders in 1815 and 1816, by which American vessels and citizens have, in Algiers, any privileges which the vessels or citizens of the most favoured country have or may have there, either in commerce or otherwise. No American vessel can be captured or detained because she is loaded with the goods of the citizens of a nation with which Algiers is at war. Americans found on board of foreign vessels, taken by the cruisers of Algiers, are to be immediately released. Proof to be made of their citizenship through the consuls. No more than two persons, besides the rowers, shall go in the boats from Algerine cruisers to American merchant vessels, and no more than two shall go on board. Upon their passports being compared, they shall immediately be permitted to proceed. American vessels, putting into Algiers in distress, may land and re-embark her cargo, without paying any duties or customs, and they shall be furnished with provisions at the market-price. Disputes between Americans shall be settled by the consul, whose decision must be enforced by the Dey: between Americans and foreigners, by the consuls of both nations; and between Americans and Algerines, by the Dey in person.

No plunder shall be permitted from any American vessel which may be wrecked, and the crew shall be protected. The consul is not responsible for the debts of any American citizen; may worship in his own house after the manner of his own religion; may go on board of any vessel he thinks proper, and with all other Americans may embark with all their effects, &c. in case of a war; and he shall not be compelled to pay any duties on importations for his own use.

No interference shall be had by the Dey or his subjects with the property of American citizens dying in Algiers.

AMSTERDAM,

The largest seaport in Holland, situated at the mouth of the Amstel. The city is built upon piles, and has a good harbour. Lat. $52^{\circ} 22' N.$ Long. $4^{\circ} 51' E.$

The chief articles of natural produce and manufacture, and therefore primary articles of export, from Amsterdam and the northern provinces of this kingdom of the Netherlands, are wheat, beans, peas, oats, barley, of corn; clover, rape, hemp, and line, of seeds; butter, cheese, linen, sailcloth, woollen and cotton stuffs of different qualities; oils of rape, hemp, and whale; and the

spirit called Geneva, of manufactures. Beside these, which may be denominated staple commodities, madder, oak bark, tallow, whitelead, &c. may be added. Amsterdam imports most kinds of West India and American goods, especially coffee, sugar, tobacco, cocoa, cotton, and dye-woods; from the East Indies, spices, raw silk, and cotton, and goods manufactured of both these articles; from Spain, wool, indigo, cochineal, and Peruvian bark; from France, wine and brandies; and from Great Britain, all kinds of colonial produce, hardware, rock salt, tin plates, and printed calicoes. For the exports and imports of the southern provinces of the kingdom of the Netherlands, see article Antwerp.

General regulations.

All weight shall be regulated according to the Amsterdam weight, and long measure by the Hague ell.

Upon the present tariff being declared in force, the King will issue a notification, declaring the relative proportion between the weights and measures alluded to in this tariff, and the law relative to the import and export duties, and the metrical system. All entries of goods, in the southern provinces of the kingdom, shall be permitted to be made according to the said metrical system, which shall then be rendered, by the administration of the customs, into Dutch weight and measure, conformably with the said notification.

Merchants, dissatisfied with the rated allowance of tare, may apply to the director of the customs in their district, or, in his absence, to the public functionary next in rotation, or, where there is no director, to the receiver, to regulate the same. No other allowance whatever shall be made, except for the actual packages. No allowance for dust, dirt, or otherwise, can be admitted, although such may be customary among merchants.

All goods chargeable by weight, and for which no tare is fixed, shall be entered at the net weight.

An allowance for leakage shall be made to the merchant upon all liquids, including molasses and honey, in the following proportions, viz.—

Coming from England and the northern ports of Europe, also from France by inland navigation, six per cent.

Coming from France by sea, and from other countries by the rivers Rhine and Waal, twelve per cent.

Coming from any other port or place, fourteen per cent.

Finally, from whatever place the same may come, upon train oil, twelve per cent.—blubber, six per cent.

In case liquids shall have experienced upon the voyage such leakage as shall cause the importer to be dissatisfied with the allowance for leakage, before specified, he shall be permitted to pay the duty upon the actual quantity, to be ascertained by sworn gaugers at the importer's expense.

Transit.

All merchandise not specially prohibited, may transit freely through the kingdom of the Netherlands, from and to any other country, either by land-carriage or by water, upon the payment of either the import or export duty, as stated in the tariff, always taking the highest of the two, or of three per cent. upon the value of the goods, at the option of the merchant.

The carriages and horses of any travellers coming into, or proceeding out of the kingdom of the Netherlands, shall be free of duty.

Transit duties by the law of February, 1818.

Refined sugars, and raw sugars mixed with refined, per 100 lbs.	2 10 0
Cotton thread, twined or untwined, (twist) dyed or undyed, ad valorem	4 per cent.
Calicoes, white or printed, ad valorem	4 do.
Dyed or undyed cloths, kerseymers, kerseys, duffels, soys, baizes, calmuks, bunting, bombazines, and all other manufactured goods of woollen, worsted, cotton, hair, or thread, glazed or unglazed, which are not specially taxed by the tariff of the 3d of October, 1816, ad valorem	4 do.

Law on the Tea trade.

The general law of 30th October, 1816, respecting the import and export duties, is declared applicable to tea; and, therefore, every body is allowed to import it into the kingdom, and to dispose of it immediately after payment of the import duties below specified.

For Bohea and ordinary Congo
For all other sorts

8 florins per 100 lbs.
16 do. do.

But teas coming directly, without breaking bulk, from China or the East Indies, on account of the inhabitants of the Netherlands, and in ships built in the kingdom, pay only an import duty.

Bohea and ordinary Congo
All other sorts

2 florins, 50 cents per 100 lbs.
5 do.

Only such tea to be considered as Bohea and ordinary Congo, as is imported unmixed in whole chests, without any smaller chests being packed among them.

Tea which, though imported in whole chests, is worth a florin and above per lb. according to the current price, at the time of the declaration, not considered as ordinary Congo.

On teas to be exported, only the scale duty is paid, according to the general dispositions of the tariff of the 3d of October, 1816.

The transit is prohibited without exception. In calculating the duties on teas when they are in the usual chests, there is a deduction from the gross weight for tare as follows:

From chests of 110 lbs. and upwards,
From chests under 110 lbs.

18 per cent.
25 do.

Some of the principal legal regulations.

The importation and exportation of goods and merchandise are not permitted, except by the most direct routes, pointed out by special regulations, which may be inspected at the bureau of convoys and licenses. By deviating from these into the unfree limits, the goods are liable to confiscation, and the driver to a fine of 300 florins. The goods, however, are not liable to confiscation if they are accompanied by the documents prescribed by the law; but the fine is in all cases incurred.

Unfree Territory.

The law establishes two lines on the frontier: one the frontier line; the other at the distance of a league, more or less, in the interior, called the line of the interior for the seacoast. This line is fixed at the distance of 1700 Rhineland ells from the coasts, including the Isles of Rosenburg, Texel, and others, situated to the north. The district between these lines is called the unfree territory. It is forbidden to have magazines or depots of goods on this territory, in places or communes where the aggregate population is 2000 souls at least, under penalty of confiscation and a fine of 100 florins. This regulation does not extend to the production of the soil, or of the manufactories, in respect to the depot in these establishments; nor does it concern retail dealers, provided the quantity of goods in their warehouses or shops does not exceed what may reasonably be supposed necessary for their trade. Goods transported within the unfree territory must be accompanied with passports, which are given gratis, for goods of which the exportation is prohibited, on giving security in their value, for those which pay export duty, in the amount of the duty; and for those which are free, without security.

Declarations.

The declaration of goods imported must be made at the frontier bureau, and of goods exported, at the interior bureau of the unfree territory. The declaration must contain,

1. The name of the ship or vessel, that of the captain or master; if by land, that of the driver.

2. On importation, the name of the place or country whence the goods come ; on exportation, their destination.

3. An exact specification of the goods, with their precise names, both those enumerated in the tariff and those which are not specifically mentioned in it.

4. The marks and numbers of all the pieces, bales, parcels, baskets, or chests.

5. The quantity or number of the pieces, specifying whether they are halves, quarters, or other divisions, the weight and the measure, according to the kind of each, notwithstanding that the duties are paid, according to the value, or by bales, pieces, barrels, &c.

6. The value, calculated according to the price current at the moment of making the declaration ; the whole without figures, and in words at length.

The goods and merchandise exempt from duty, either on importation or exportation, must, however, be equally expressed in this declaration, unless they are specially denominated in the law ; those which enjoy this faculty, and of which it is not necessary to make a declaration, are precious stones, gold and silver, coined, and in bars or ingots, herrings, whale blubber, and oil, fish, fresh, salted, or in pickle, from the national fisheries.—All these articles require no permit. If the captain, master, or driver, is not able to make this declaration as prescribed, the goods must be deposited in the public ware-houses, whence they are sent to the chief bureau, after having been sealed *plombees*. The persons interested may also affix their seal to them, and the whole is at their expense. Within the year, the goods may be withdrawn on making the declaration prescribed. In every case it may be required that an inventory shall be made, at the moment of importation, by the receiver, at the expense of the persons interested. In this case the inventory shall be made out and signed in duplicate, the person making the declaration has the right to change or correct it, as long as it has not been given to the examining clerks, or that a seizure has not been made.

As for goods coming by sea, the merchants or consignees, if they are ignorant of the exact quantity, &c. have a right to have the goods which they receive, numbered, measured, gauged, and weighed, under the direction of the custom-house officers, and in a place pointed out by them, before they make their declaration, but the whole at their own expense ; the persons interested are not obliged to calculate the duties to be paid according to the declaration, they may have it done by the receivers, who are responsible to the treasury for the errors which they may commit in their calculations. The declaration being made and duly signed, the receiver shall give a passport either to pass the line of the unfree territory into the interior, where the circulation requires no permit ; or in case that the duties are not paid on entrance, to the unloading places where the duties are to be paid. It is essential to observe, that those goods which are exempt from import duties, but are subjected to scale duty, excise, &c. are to be declared at their entrance, to the receivers of those duties, if there are any in the frontier places, where the importation takes place.

Goods not declared, or declared under a false denomination, taking one kind for another, or which shall be found to be falsely declared in respect to the quantity, those unloaded without previous permission, as well as the excess above the weight declared, are liable to confiscation ; but this confiscation does not include those articles which are duly declared : that is to say, *not* the whole of the goods declared, but the pieces, packages, bales, &c. in particular, the declaration of which is false. However, if the excess of weight or measure is above a twelfth of the whole quantity, the confiscation shall extend to the whole.

The captain, master, waggoner, or driver, who has made his declaration at the frontier bureau, is obliged to produce, at the place of unloading, all the articles so declared, under the penalty of 100 florins for every barrel, chest, bale, or piece missing, unless he can prove that the deficiency has arisen from theft, or from some extraordinary cause.

The passports which are granted by the officers of the customs, must mention a proper space of time, after which they are to be null and void. But the chief officer in the place has the power of prolonging them during the time that the passports are valid ; the merchant may demand the re-payment of the ex-

port duties paid on proving that the goods upon which they have been paid, have not been exported.

The merchant may obtain an abatement of the import duties, in case that by an error, goods damaged or spoiled on the voyage have been declared as good merchandise; but this claim must be made before the goods are put into his warehouses or those of the custom-house. This abatement of the duties is calculated and regulated, first, if the merchandise is sound and good, and in case it is sold publicly, upon the sum by which the proceeds of the sale are less than their value; or, if it is damaged, according to an estimate made by two sworn brokers—one named by the custom-house officers, one by the merchant, and a third, if necessary, by the municipality; the whole at the expense, and at the option of the merchant.

Salvage.

The salvage of goods thrown into the sea, and of stranded ships, is not considered as an importation; goods so circumstanced may therefore be taken on shore at all times, and in all places, without any formality in respect to the board of convoys and licenses. Such goods and merchandise as may be saved, if they were loaded, and destined for foreign countries, are exempt from all duties; if they are re-exported goods that have been loaded in a port of the kingdom, destined for abroad, without having been landed in any foreign country, and these again re-embarked, are exempt from import duty.

All pieces of wreck, masts, sails, anchors, cordage, and other appurtenances of shipwrecked vessels, are exempt from all import duty.

Importation by Sea.

The officers of the customs are charged to take care that the captains, &c. may be informed at the first bureau of the orders and formalities prescribed by the law.

The captains are bound to make, within twenty-four hours, and before they proceed to their destination, a declaration of their cargoes in writing, and in duplicate, signed by the captain and mate, or pilot.

The officers must deliver one of these declarations, compared and signed by them, to the captains, and inform them that the declaration must be sworn to at the places of their destination.

If the captain is impelled by necessity to pass beyond the first bureau, he must make his declaration at the first port where he shall stop. Should the captain delay to make his declaration above twenty-four hours, or pass the first bureau without necessity; or, should he suppress in his declaration any part of the goods or merchandise, he would incur a fine of 500 florins; and, if the master of a vessel, 300 florins.

If the captains are not acquainted with the quantities, qualities, &c. they may make their declaration under the general term of "merchandise;" but in this case the bills of lading must be exhibited with the declaration, and the custom-house puts a guard on board at the captain's expense. The goods declared are placed under the guard of the custom-house till the declaration is made conformable to the law; the whole at the expense of those interested.

In case the captains should make any difficulty in signing without reserve to the formula of the declaration, they may refer to the manifests, and other papers, that show the contents of the cargo, of which the captains are there bound to exhibit the duplicates, which are annexed to the declaration; but this is not to hinder them from declaring upon oath, or by a solemn affirmation, that they have not loaded or unloaded any other merchandise in this kingdom.

The duties are paid indifferently upon the whole cargo, at the place of destination of the vessel, though a part of the cargo may have another destination, and be conveyed thither by lighters.

Ships touching at a port, either to wait for orders, or obliged by some accident at sea, are not subject to any duty relative to the convoys and licenses, but they are placed under the *surveillance* of the custom-house officers, and must make a declaration. If there be prohibited goods in the ship, a guard is put on board, at the expense of the captain, unless he prefers depositing the goods

in a warehouse belonging to the customs. The unloading and reloading can in no case take place without a permit ; in respect to merchandise landed to remain in the country, they are subject to all the usual formalities ; and in case of the sale or unloading of any goods, the vessel is liable to the tonnage duty.

Exportation by Sea.

The declaration must be made on paying the duties, at the place of embarkation : that is to say, at the place where the goods are embarked, whether in vessels destined to a foreign country, or in lighters, or other vessels, or boats, to be conveyed on board the ships, the passport must mention the name of the captain, or boatman, charged with the conveyances ; it is forbidden to take on board any goods or merchandise not accompanied with a passport, and if the vessel has already passed the last bureau, the passport must have a declaration on the back, that the goods have been examined by the officers of the last bureau. If after the examination has taken place, and before passing the last bureau, the captain receive more goods, he must make a signal to the officers to come on board, that they make a new examination, under a penalty of 300 florins. The captains or masters of vessels must sign a declaration, stating that they have not any merchandise besides those mentioned in the passports, and are to exhibit at the last bureau their reckoning, with the receipt of the officer to whom they have paid the duties on the last articles taken on board, and then they receive an act of clearance.

All these formalities must take place on board, the officers are forbidden to take away the passports ; however, in case there is a presumption of fraud, they may retain them, but they must declare their intention in this respect within two hours, if the delay could interrupt the voyage.

The pilots are forbidden, under a penalty of 300 florins, to permit merchandise to be taken on board or landed without regular passports, or to take a ship to sea, which is not furnished with an act of clearance.

Transit.

All the formalities prescribed for the declarations on importations must be observed for the transit ; the person making the declaration must also give security for what the goods would pay more, if declared for home consumption, or, if the importation is prohibited, for double the value these securities are discharged on presenting, within six weeks after the term granted on the passport for re-exportation—a certificate to that effect, at the back of the passport, signed by two officers. With respect to goods which are not prohibited the person declaring them has a right, during the whole time granted for the passage in transit, to withdraw his declarations, and make a new one for home consumption.

Entrepôt.

All goods, whether for transit, or simply imported may be placed in *entrepôt* bonded, but the declaration to that effect must be made on the importation ; they pay ware-house rent according to a value settled between the municipal administration, and the board of convoys and licenses.

The right of making use of the *entrepôt* is fixed for one year ; but the board of convoys and licenses may prolong it for unprohibited goods, and after this time the prohibited goods must be re-exported, as well as the goods declared for transit ; if in the latter case the proprietor or consignee does not prefer renouncing the favour of transit, the duties are paid on taking the goods out of the *entrepôt*.

Tonnage Duty.

Vessels serving exclusively to convey mails and passengers, may make an arrangement with the board concerning this duty.

The tonnage duty is regulated as follows :

Foreign vessels, ✓	2 francs 12 stivers per last
Dutch and American,	1 do. 10 do. per do.

Foreign vessels, belonging to any nation where the vessels of the Netherlands are treated on the same footing as the ships of that nation, shall enjoy the same favour, with respect to the tonnage duty, as the vessels of the Netherlands. Ministers to and from foreign courts exempt from duty.

Pilotage from Amsterdam to the Texel.

A vessel drawing 9 feet per last of 2 tons	14 francs	15 stivers
Do. 10 feet	15 do.	10 do.
Do. 11 feet	17 do.	10 do.
Do. 12 feet	22 do.	10 do.
Do. 13 feet	32 do.	10 do.

Light duties from America, 13½ stivers per last; East Indies, 21½ stivers.

Export and import duties, the same on American as on Dutch vessels.

Foreign vessels from the Dutch East India colonies pay no import duties, on producing evidence of having paid the export duties in the colonies.

For weights and measures, vide page 28.

For monies and exchange, vide page 52, 57.

Americans are entitled by treaty, to all the privileges and exemptions in commerce of the citizens of the most favoured nations in the ports of Holland.— Neither are they obliged to pay any other duties or imposts. They may transact their own business or employ such agents, &c. as they please. Between the Netherlands and the United States, free ships make free goods, except they are in the actual service of a belligerent. American property rescued from pirates, shall be restored, and shipwrecked property if claimed within a year and a day, paying reasonable salvage, &c. In case of war, 9 months shall be allowed them to retire with their property.

A vessel entering the ports of Holland, and not willing to break bulk or take in any cargo, shall not be obliged to pay any duties in or out, or to render any account of their cargo, unless suspected of carrying contraband to an enemy. Master of a vessel may ship American seamen in Amsterdam, &c. without being subjected to any penalty, except they belong to a Dutch ship.

In time of war, American vessels should be furnished with sea letters, and the other documents prescribed by treaty. In case of vessels re-captured by privateers, one third salvage shall be paid if they had not been twenty-four hours in the possession of the enemy; if more than that time, the whole shall belong to the recaptor. If recaptured by a public vessel, one thirtieth and one tenth shall be paid under like circumstances.

ANTWERP

Stands on the Sheldts, which is 400 yards wide. It is the principal commercial place of the southern division of the new kingdom of the Netherlands; as it has been already observed, Amsterdam is of the northern; it is 65 miles south of Amsterdam, lat. 51° 13' N. long. 4° 23' E. Being now part of the same state, much that has been said of one applies to the other, especially with respect to political, as well as illegal regulations. The imports here are pretty much the same as at Amsterdam, and its advantages from ships of the largest burthen being able to come up to the town, and the extraordinary facility, with which goods destined for the interior are circulated again by canals, gives it a great preponderance of advantage. Nearly all the trade of the Belgic provinces passes through the hands of the Antwerp merchants, the articles of import being landed there; and those of export being sent thither to be shipped. The exports, beside what these southern provinces have in common with the northern ones, viz. corn, seeds, and linens, are chiefly lace, carpets, hair-cloth, and tapestry, from the capital, Brussels; flax of fine quality, and hops of superior flavour; tallow and hides.

AUSTRALASIA,

Comprehending New South Wales, Norfolk Island, Van Diemen's Land, and other settlements in the vicinity of this continent.

The exports are already hemp, flax, and wool; the import, every thing of which it may reasonably be supposed an infant colony, the population of which, in 1818, was near eighty thousand persons, and has been rapidly increasing, must stand in need. Ready made clothes of all kinds and quantities, cheese, hams, wine, hops, beer, porter, cutlery, glass, earthenware, and hardware, linen, calico, scythes, sickles, saddles and bridles, knives and forks, spoons, &c. are among the number of articles in general request. The jurisdiction of the governor of New South Wales extends from $10^{\circ} 37'$ to $43^{\circ} 49'$ S. lat. and from the sea-coast westward, to 135° E. long. and thence proceeding in an easterly direction, including all the islands in the Pacific Ocean within the before mentioned latitude. All the functions of government (except arbitrary taxation by 59 George III. c. 144) are vested solely in the governor, who is responsible to the government of the mother country alone for the exercise of his discretionary power. Some few of the regulations which attach upon vessels arriving in the harbour of these regions, it is proper to notice the first is by stat. 59 Geo. III. f. 3. 122, by which every vessel owned and navigated according to law, may trade between any place in the United Kingdom, and the said colony and its dependencies, and pass to the eastward of the Cape of Good Hope, though such vessel be of less than 350 tons, notwithstanding any former prohibitions; but not to pass or repass between 66 and 150 degrees east longitude from London further to the northward than the 11th degree of south latitude.

At Port Jackson, which was the first, and still remains the chief harbour in this government, the following, among other regulations, have been promulgated by the colonial government.

No person but the pilot or other person specially authorized, to board any vessel arriving, until a union or ensign is hoisted at the mast-head. The commander of every vessel is to report himself and ship at the naval officer's offices, and enter the ship agreeably to form, and produce a manifest of his cargo; to give bond in £200 not to open the vessel's hatches for the sale of any article, till he receive a general permit for the purpose, and not to send any spirits, wine, beer, or other strong drink, even after such general permit without a special permit in writing, properly signed and countersigned, specifying the quantities and qualities with the name of each purchaser, nor to sell or send from the vessel any arms or ammunition to any person without special permit.

Liquors only to be landed at particular places, and not to be removed until security given for payment of the assessments. Forfeitures to be determined according to the British laws respecting manifests and smuggling.

No trade permitted with the inhabitants till the securities required be received, and no convict to be received on board any vessel without a proper pass from the governor, or other officiating magistrate; no boats to go on shore after dark, no seaman to go into the country without a pass, no clothing or bedding to be purchased from convicts, under specific penalties annexed to these different offences. Persons dying on board any vessel in harbour, to be buried on shore, and no stone ballast or iron hoops to be thrown overboard below high water mark, under penalty of £5, two thirds to the informer. No merchant vessel to leave the harbour without naval officer's certificate, countersigned by the governor, in compliance with the preceding regulations, on pain of being fired at and detained. The natives of the whole region before described, with all the neighbouring islands, being under the protection of Great Britain, all violations of their persons and property to be punished according to the laws adopted or made by the colonial government.

Purchases are generally made by barter; dollars, however, valued at five shillings, are the chief money current in the colony, and a bank has been recently established, which issues small notes.

BALTIMORE,

The chief seaport in Maryland. It is situated at the head of the Chesapeake Bay, on the river Patapsco. Ships of burthen come to at Fell's Point, but coasters, &c. go up to the town. Lat. $39^{\circ} 23'$ N. Long. $76^{\circ} 39'$ W.

For Pilot laws, vide page 187.

Quarantine 227.

Passengers 250:

Inspection 21.

By an ordinance of the mayor and city council of Baltimore, passed in July, 1818, "to provide for the preservation of the navigation of the port of Baltimore," it is ordained, that "No person shall, without permission of the wardens of the port, throw or deposit dirt, mud, gravel, stones, or other materials, in or on the shores or banks of the basin, Jones' Falls, Gwinn's Falls, Patapsco river, or of any other streams of water within the limits of the city, or 4 miles thereof, under a penalty, for each offence, of 50 dollars, to be recovered one-half to the informer, the other half to the use of the corporation."

The 4th section of an ordinance of 1820 prohibits the throwing any "animal or fruit or vegetable matter into the basin or docks, or into Jones' Falls, between the first day of June and first day of November," under the penalty of ten dollars.

No spars, arks, logs, or lumber, with the bark or sap on, and also square timber, shall remain in the water of the harbour of Baltimore, or in any situation where a common tide can reach the same, within 200 yards of any dwelling or wharf, without a written permission from the board of health, between the first day of June and first day of November in every year; and the owners of such spars, &c. are required to keep the same more than 200 yards from any dwelling or wharf (unless they have such permission) or have them deposited on dry land. For a violation of this ordinance, a forfeiture is prescribed not exceeding 20 dollars, and the further sum of 10 dollars for every 24 hours they neglect to comply with it.

BORDEAUX.

A seaport of France on the left bank of the Garonne, 18 leagues from the sea. It is built in the form of a bow, and its harbour is spacious, with a large and extensive quay. Its exports are wine, brandy; vinegar, olive oil, fruits, and the productions of the soil, mines, fisheries, and manufactories of France. Its imports are naval stores, pot and pearl ashes, codfish, cochineal, cocoa, coffee, sugars, gums, oil, pimento, rice, teas, hides, indigo, nankins, tobacco, and colonial produce—fustic, logwood, and other dye-woods—raw materials for manufactures—staves for wine casks, &c.

Bordeaux has an internal communication with the Mediterranean. Lat. 44° 50' N. Long. 0° 34' W.

For weights and measures, vide page 24.

For moneys, &c. vide pages 51, 63.

By the late commercial treaty, articles of the produce or manufacture of the United States, when imported in American vessels, shall be liable to pay an additional duty of not more than 20 francs per ton over and above the duties paid on like articles imported in French vessels, and then only upon the excess of value of the imports over the exports.

No discriminating duty shall be imposed on such articles imported in vessels of the United States for transit or re-exportation.

The duties of tonnage, light money, pilotage, port charges, brokerage, and all other duties upon foreign shipping, shall not, upon vessels of the U. States, exceed 5 francs per ton the duties levied upon French vessels.

The consuls may cause deserters from American vessels to be arrested, in order to send them home, proving before the proper tribunals that the men belong to their respective vessels by their registers or ship's roll. If not sent back within 3 months, they shall be discharged.

Custom-house Regulations.

Vessels must be reported within 24 hours after arrival. Great care should be taken to make out the manifests correctly, as post entries are not allowed, and if there are more goods on board than are specified in the manifest, the excess is forfeited, and a penalty is incurred; if less, the duties must be paid on the

whole quantity specified, and a penalty is also incurred. It may, however, be mentioned in the manifest, that the quantity is unknown.

A severe penalty is exacted if tobacco be found secreted on board by any person belonging to the ship. All custom-house business is done through the medium of brokers. Cotton and ashes are generally sold at 4 months credit.

By the late treaty the following quantities are considered as forming the ton of merchandise for each of the articles hereinafter specified:—

Wines—four 61 gallon hogsheads, or 244 gallons of 231 cubic inches, American measure.

Brandies, and all other liquids—244 gallons.

Silks, and all other dry goods, and all other articles usually subject to measurement—forty-two cubic feet French, in France, and fifty cubic feet American measure, in the United States.

Cotton—804 lb. avoirdupois, or 365 kilog.

Tobacco—1600 lb. avoirdupois, or 725 kilog.

Ashes—pot and pearl, 2240 lb. avoirdupois, or 1016 kilog.

Rice—1600 lb. avoirdupois, or 725 kilog.

And for all weighable articles not specified, 2240 lb. avoirdupoise, or 1016 kilogrammes.

The ad valorem duty is estimated on a declaration of the value of the goods on their arrival and before the receipt of the duties, and justified by an invoice from the place of exportation. The custom-house officers may keep the articles upon paying the estimated value and a tenth more. Duties are payable on the gross weight of the articles and their coverings, &c. except when the duty amounts to more than 40 francs per 100 kilogrammes, when they are estimated on the net weight. The tare may be real or legal, at the option of the importer.

Legal tare on sugar, raw or clayed, in bales or bags,	2 per cent.
raw; in boxes or hogsheads	15 do.
clayed, in do.	12 do.
coffee, cocoa, and pepper, in boxes or hogsheads	12 do.
in bales, bags, or pack	3 do.
indigo, in boxes or pipes	21 do.
in leather bags	9 do.
cotton, from Turkey	10 do.
of any kind in packages of less than 50 kilog.	8 do.
of 50 and more	6 do.
Potash, weedash, raw, tare, &c. in pipes	12 do.
All other articles paying duty on net weight, if in boxes or casks	12 do.
if in bales, packs, baskets, or hampers	2 do.

The net weight of liquids is ascertained by establishing the tare of the articles.

French manufactures returned, except laces and silks, after having been shipped, pay a duty of 51 centimes per 100 kilogrammes, or 15 centimes per 1000 francs value, at the option of the payer.

The same duty is exacted on goods allowed to cross the French territory, viz. raw materials and colonial produce. All imported goods are entitled to a right of entrepôt for 12 months, with the privilege of renewal. The duties are, on taking the goods from the warehouse, in cash, or at 4 months credit with security.

There are no tonnage duties on French vessels from the United States.

All foreign vessels, except those of the United States, pay 2 f. 50, half duty 1. 25, war duty, 87½, total 4 f. 12½—1 franc 10 centimes are paid for every permit taken out by shippers.

Pilotage at Bordeaux is paid per station. From April to October inclusive, vessels entering pay for three stations—the rest of the year for three and a half. Vessels sailing pay for three and a third stations. The rate, per station, for French vessels is, 3 francs 50 cent. per foot when drawing upwards of 12 feet. and 3 francs 75 centimes per foot when drawing 12 feet or under, and never charged for less than 10 feet.

Port charges.

French vessels, above 300 tons,	15 francs per ship
from 150 to 300 tons,	6 do.
French vessels, below 150 to 30 tons,	2 franc per ship
Foreign vessels of 200 tons and less,	18 do.
of more than 200 tons,	36 do.
Discharges, permits, and certificates, relative to cargo, for each	50 c. for French vessel.
	100 c. for foreign do.
Passports for foreign ship,	1 franc.
Health visit at quarantine,	12 do.
Mooring to a birth,	30 do.
Reporting at the navy office and court of commerce,	36 do.
Gauging,	12 do.
Visiting officers,	12 do.
Harbour master,	14 do.
Passport and clearance,	36 do.
If they sail in ballast, they pay a navigation duty of 6 f. per ship not above 200 tons,	
and 7 f. when above.	

Formerly the port charges for an American ship of 300 tons were about 2,700 francs, including brokerage of 1 50 per ton; on a French ship, about 1,400 francs.

Before the late treaty, the short staple cottons of the United States paid 10 f. per 100 kilogrammes more than Turkey and East India cottons. Tobacco cannot be sold in France except to the administration of tobacco. It may, however, be stored for 12 months, and re-exported at a trifling expense of entrepôt.

BOSTON,

The capital and largest seaport in Massachusetts. It is seated on a peninsula at the bottom of Massachusetts bay, and has an excellent harbour, easily to be defended, and with water deep enough for the largest ships, though the channel is narrow. Lat. 42° 23' N. Long. 71° 4' W.

For Pilot laws, vide page 176.

Quarantine	204.
Passenger	239.

Vessels with gunpowder on board cannot lie within 200 yards of any wharf in Boston; or, if with more than 25 lbs. on board, not within 200 yards of any wharf in Charlestown or Roxbury. Gunpowder, when landed in Boston, must be carried to Tileston's wharf, and then to the public powder-house on Pine Island, in boats or carts, which shall have been approved of by the fire-wards and marked by them. It is to be sent on board in a similar manner. If more than 5 lbs. be kept on board any vessel, or on any wharf, it shall be forfeited.

Lime cannot be shipped unless contained in casks of 100 gallons, or of 50, made of well seasoned heads and staves, with 10 hoops on each cask, and branded by the inspector, under the penalty of \$4 50 for each cask.

A penalty, not less than 5 dollars, nor more than 10 dollars, for every 100 lbs. is exacted of masters receiving pickled fish on board which has not been inspected. The fish also is forfeited.

A similar forfeiture, and a penalty of £10 per barrel, are incurred for beef and pork, which have not been inspected, received on board, and £5 per cask for flaxseed, pot or pearl ashes.

Rubbish and ballast must not be thrown into the harbour, under the penalty of 20 pounds.

BRAZIL.

This great and wealthy country extends from the Amazon to the Rio Grande. It is now independent of Portugal, though its government is in an unsettled state. Its chief ports are Maranhão, San Salvador, Rio Janeiro, and Pernambuco.

buco. Its imports are European manufactures, flour, salt, furniture, and naval stores. Its exports are sugar, cotton, coffee, cocoa, indigo, drugs, Brazil wood, from the northern parts—hides and tallow, from the southern—and the precious metals and stones, from the middle.

Commercial regulations, published April 25, 1818.

All exports, except specially provided for, pay a duty of 2 per cent. Jerked beef, exported in a Portuguese vessel, pays 200 reas per arroba; in a foreign vessel 600 reas per do. Foreign goods arriving in vessels of their own countries, pay 24 per cent; if imported in Portuguese vessels, they, pay 19 per cent. Foreign vessels pay the same duties of tonnage, light money, anchorage, and other charges, as Portuguese vessels pay in their respective countries.

Oporto and Madeira wine, per pipe	12,000 reas	
Common Oporto	10,000	
All other wines of Portugal or the islands.	9,600	
All foreign wines	36,000	
Brandy of Portugal	20,000	foreign, 50,000
Vinegar	2,400	foreign, 9,600

For weights and measures, vide Portugal, page 35.

For moneys and exchange, vide do. pages 56, 62.

BREMEN,

Is one of the free Hanseatic cities, situated on the river Weser, and 45 miles from the sea. Its harbour is 9 miles below the town. It has not, indeed, so much facility of internal communication with Germany by its particular river as its great rival, Hamburg, has by the Elbe; but, as a balance to those natural advantages, the charges of receiving, forwarding, and selling, as well as of purchasing and shipping goods, are so moderate at Bremen, as to give it no inconsiderable advantage over other places in many instances. Wheat is considered not so good here as that from the Baltic. The imports are principally all sorts of manufactured goods, for the use of the interior of Germany; all kinds of West India and American produce, teas, tobacco, rums, and brandies, tin plates, tallow, tar, oil, and tropical fruits. The exports are chiefly bark, bristles, glass, grain, hams, hides, rags, snalts, wines, and yarn and linens of all kinds, descriptions and qualities; table linen, shirting, gingham, bedticking, raven duck, sail cloth, flaxen osnaburgh, and hempen techlenburghs.

For weights and measures, vide page 28.

For moneys and exchange, vide pages 53, 58.

BUENOS AYRES.

This extensive country is known by the name of the United Provinces of South America. They extend from the Rio Grande to the Rio Negro. The city is situated on a peninsula, on the south bank of the river La Plata, 200 miles from the ocean. Lat. 34° 37' S. Long. 58° 24' W. The river in that part is 21 miles in breadth. It has no port, and vessels are obliged to anchor at 9 miles distance, and discharge their cargoes by means of lighters, who can reach the town only at high water through a creek. It is well fortified, and is the depot of a great part of the treasures and merchandise of Potosi, Peru, and Chili. Since its emancipation from colonial thralldom, its trade has been considerable. Its exports are wheat and jerked beef to the West Indies and Brazil; gold, silver, copper, hides, tallow, oil, sugar, Vigonia wool, tobacco, cotton, Paraguay tea, beeswax, dye-woods, and drugs, to the United States and Europe. Its imports are naval stores, furniture, lumber, salt, fish, boots, &c.—Its inland trade with the western coast of the continent can be carried on only in the summer, on account of the impracticability of passing the Andes.

at any other season. The commercial regulations of this place, which we have been able to obtain, are as follows :—

Rules and regulations adopted by the supreme government of Buenos Ayres, on the 13th of January, 1817, for the government of masters of foreign vessels in this port.

Article 11th.—On the arrival of a vessel coming from a foreign port, the commandant of the port or one of the lieutenants, together with a custom-house officer, will immediately go on board such vessel, and will explain to the master the following articles, from 11 to 20, which shall be printed in 3 columns, in the Spanish, English and French languages.

12th.—The master will state from whence he came, what passage he has made, what port he took in his cargo, and to whom consigned.

13th.—He will then be required to show a general manifest of his cargo, including the quantity of provisions remaining on board, this must be signed by the master and supercargo, if there is one on board. It is required that this document be written in Spanish; but if this cannot be done, then in such other languages as will best suit.

14th.—The said manifest must contain the marks, quantity, and quality of all packages, &c. forming the cargo, stating the articles known, and to whom consigned; or having no consignee, to ———, as by the bill of lading.

15th.—The master shall also be informed that this manifest must agree with the cargo book, or in default thereof, to the best of his knowledge; and in case of non-compliance, he will be compelled to pay a fine of one thousand dollars, to be immediately paid to the custom-house by the consignee, on account, and to the expense of the said master.

16th.—The master shall be answerable for any parcel, package, or other article which may be brought by any of his crew or passengers, as a venture or present, and shall cause the same to be inserted in his manifest; and he is required to be very circumspect in this, as a neglect would subject him to the same penalty as stated in the preceding article.

17th.—The master shall not come on shore without bringing and presenting the said manifest, directed to the administrator of the custom-house; and the said master, nor any of his officers, shall permit the least article to be taken out of the vessel without a permit from the custom-house, or suffer any thing to be brought on board without permission from a competent officer, under the penalty of five hundred dollars, to be paid by the consignee, and fifteen hundred dollars by the master of the vessel so offending, besides the confiscation of all such goods, payable to the state, and any one who shall discover and make known the violators of this article.

18th.—The master and supercargo if there is one, shall present themselves immediately on landing, with the books or papers belonging, or in any wise appertaining, to the vessel, before the administrator of the custom-house, that all other necessary arrangements may be made.

19th.—The master will be required to deliver all letters or packages which he may have brought, and also those in possession of any one on board his vessel, and for each letter thus delivered, he shall receive one rial from the post-office, but should it be proved that he has not delivered all the letters, he shall lose the amount due to him, and be compelled to pay a fine of five hundred dollars, one half for the state and the other to the person who shall discover and make known the violators of this article.

20th.—The master must sign a bond, by which he will acknowledge himself liable to incur the penalties above cited, in case of a violation of any of the above articles. Should any small article,* package, or parcel, of little value, he inadvertently omitted in the manifest, he shall make a report of the same within fifteen days after his arrival, to the administrator of the custom-house; but should he neglect doing this during the above stated period, he shall then be considered as not enjoying this proviso, and be subject to the same penalty as stated in article 15th and 4th of these regulations, printed in three languages.

* By a recent decision of this government, this has been restricted to one package or small article.

New Tariff, November, 1821.—Duties on Foreign Imports.

Article 1.—From the first of January, 1822, the import duty on all foreign articles except the following, will be 15 per cent.

2. Quicksilver, timber, machinery, implements of agriculture, instruments of arts and sciences, books, engravings, paintings, statues, and prints, wool and furs for manufacturing, rushes, molasses for distilling, whiting, lime, stone for building, brick, coal, embroidered silks of gold and silver, with or without watches, and gold and silver jewelry—5 per cent.

3. Colours for painting and dyeing, drugs, spices, and medicines, gunpowder, arms and flints, tar, pitch and cordage, rice, and raw and manufactured silk—10 per cent.

4. Sugar *Yerba Mate* (foreign) coffee, tea, cocoa, and provisions of all descriptions—20 per cent.

5. Furniture, looking glasses, coaches, chaises and appendages, saddles and harness, ready made clothes, shoes and boots, wines, vinegar, beer, cider, tobacco (foreign)—25 per cent.

6. Spirits. Liquors—30 per cent.

7. Exceptions.

1st. Wheat will be subject to the following variations, viz :

When its value in the market does not exceed \$6 per fanega, duty \$4

Do.	do.	7	do.	3
Do.	do.	8	do.	2
Do.	do.	9	do.	1
Do.	do. exceeding	9	do.	0

2d. Flour not exceeding in value, 4 dollars per Qql. duty 4 dollars

Do.	do.	6	do.	3	do.
Do.	do.	8	do.	2	do.
Do.	do.	9	do.	1	do.
Do.	do. exceeding 9	do.		0	do.

3d. Salt subject to the following variations, viz :

Not exceeding in value \$2 per fanega, duty 12 rials.

3	do.	8	do.
4	do.	4	do.
5	do.	2	do.
exceeding 6	do.	0	do.

4th. Hatz, duty of three dollars each.

Art. 8. The warehousing reduced to one rial per package.

In consequence of the present state of the market with respect to wines and spirits, the 5th and 6th articles will not be carried into effect until the 1st of October of 1822, ad interim—from the 1st of January to that date, the duty will be for wines, 34 dollars per pipe, and spirits, 50 dollars per pipe, with a deduction of 10 per cent for leakage.

On Exports for foreign places.

Article 1.—Ox, cow, and bull hides, and young calf-skins (Nonato) will pay a duty of one rial each.

2d. Horse and mule skins, half a rial each.

3d. All productions of this and the interior provinces, not expressed among the foregoing articles, will pay a duty on exportation, of 4 per cent. upon the market prices.

4th. Silver, coined, bullion, or wrought, duty 2 per cent.

5th. Gold do. do. 1 per cent.

6th. Merchandise introduced by sea transhipped, will pay 4 per cent. and on re-embarkation, 2 per cent.

7th. Productions or manufactures imported by land, will be free of duty when shipped, on proving the payment of such on the introduction.

Imports by Land.

Article. 1.—All productions and manufactures imported from the other provinces, not expressed among the subsequent articles, will pay a duty of four per cent. on the market price, including wharfrage.

2d. Spirits made in the country, to pay a duty.

3d. Yerba Mate, from Paraguay, Corrientes, and Misiones, ten per cent. not to be valued at more than five dollars per arroba.

4th. Segars will pay 20 per cent. on valuation, not exceeding 20 dollars arroba.

5th. Salt meat, tallow, ashes, rice, paving tiles, bark, wool, cotton, hair, horn plates, furs undressed and dressed, free of duty.

Exports by Land.

Articles re-exported for the other provinces having the import duty, will be free; and a permit only necessary.

The duties will be calculated upon the value of the articles in the market by wholesale, to be declared by the importer at the time of presenting his manifest at the custom-house.

In case a difference should arise between the inspector and owner, which exceeds 10 per cent. in the value given, the collector will arbitrate with three merchants and a price-current of the articles, (if there be one,) as a guide.

Art. 3. The merchant's arbitrators will be taken by lot from a list of twelve, which will be named for the purpose every year by the consulado.

4. When the arbitrators have met, they will not separate without giving a decision, which will be acted upon without appeal.

5. In case the arbitrators confirm the opinion of the inspector, the person appealing will pay double the amount disputed.

6. In case the value given in by the owner of the goods differs 30 per cent. from the prices considered current, even should the owner agree to the correction made by the inspector, he will have to pay additional duty of 30 per cent. on the whole.

7. The merchants will accept bills, payable half at 45 and 90 days, if the amount of the debt exceeds one hundred dollars.

Art. 8. The bills becoming due (if not paid) will be sold for account of the acceptors.

9. No debtor of a bill due, will be allowed to despatch* in the custom-house.

10. This law will be revived every year.

Finally.—The alterations which may be made in the custom-house, will not have effect till 8 months after their publication by the legislature, with respect to shipments from the other side Cape St. Augustine and Cape of Good Hope, and four months from the coast of Brazil, Pacific, and east-coast of Africa.

For weights and measure, vide Spain, Cadiz, page 35.

For moneys, &c. vide page 56, 58.

Goods may be taken to the merchant's store and offered for sale, and if re-embarked within 6 months, the import duty will be returned with the exception of 2 or 2½ per cent.; but a vessel landing part of her cargo is obliged to land the whole, and she may then re-embark from the custom-house such articles as do not suit the market.

CADIZ,

The first commercial city in Spain, with the finest port in Europe. It is situated on the western extremity of an isthmus, on an island belonging to the province of Andalusia, the northern part of which is called Cadiz, and the southern LEON, and which is connected with the main land by the bridge of Suaza, fortified at both ends. Lat. 36° 32' N. Long. 6° 16' W.

A consul resides at Cadiz from every commercial nation in the world; and partly from its local advantages already enumerated, and partly from the deficiency of inland water communication with the capital and other large cities in Spain, it engrosses, either directly or indirectly, almost the whole trade of the kingdom, as well European as colonial.

For weights and measures, vide page 35.

For moneys, &c. vide pages 55, 58.

* This word means,—Enter, or secure duties on goods.

Imports.—Linens, woollens, hardware, grain, mats, tar, pitch, tallow, fish, oil, &c.

Exports.—Cochineal, indigo, dye-woods, marilla, Peruvian bark, and other colonial produce; of home productions, wool, wines, in great variety; barilla, salt, iron, olive oil, fruits of various kinds; sherry wines and inferior brandies, distilled in a slovenly manner from the refuse of their fruit, but sold in large quantities for mixing with weak wines.

Tonnage duty.

One rial per ton on all vessels. No drawback is allowed on goods exported in foreign vessels. Raw cotton, of the United States is prohibited. Brazil and Levant cotton is admitted under a duty of 7 cents. The duty on flour is 2 dollars and 50 cents per barrel, and charges 70 cents; on wheat, sufficient to make a barrel of flour, 60 cents. Papers required of foreign vessels are, the passport from the government; proof of property; contract for freight, log-book, and list of crew.

CAPE OF GOOD HOPE

Comprehends three bays or harbours, viz.—on the east side, Saldanha and Table Bays—on the west, False Bay. Lat. 34° 24' S. Long. 18° 28' E.

The imports are principally beer of different kinds, blacking, books, boots and shoes, brushes—brass, iron, and tin ware—clothes of woollen, linen, and cotton—cutlery, glass, groceries, haberdashery, hats, hosiery, lead and lead shot, medicines, paint brushes, and oil—perfumery, plate, spirits, stationary, saddlery, —wines, from France, Portugal, Spain, &c.

The exports are almost exclusively wines made in the country, which are rapidly improving; aloes, and a few animals, both wild and tame.

The most important local regulations are the following:—No boat can ship, tranship, or bring on shore any goods without a permit from the custom-house, with the nature and number of packages, &c. &c.—nor can they be landed any where but at the public wharf, without permission, and must be removed at the expiration of 24 hours, under pain of seizure.

No person to be received on board, without a certificate from the proper officer; nor any person to be left behind, without permission from the secretary's office.

No specie to be shipped without a special permit, under pain of 12 months imprisonment, forfeiture of treble the amount, and confiscation of the craft conveying it to the ship.

Deserters, and runaway slaves, being harboured, subject to a penalty of 500 rix dollars; and notice of departure to be given two days previous to sailing, that search may be made after deserters, &c.

Charges at the Custom-house.

Entrance of ship	Rix dollars 4	Permit for stores, &c.	Rix dollars 4
Landing or shipping a cargo	10	Manifest	1
Landing and shipping a cargo	2	Clearance	4
Permit to import or export	1	Pass for vessel trading on the coast	2

American vessels are only permitted to touch here for refreshments, &c.

CANTON,

A seaport of China, where Americans and Europeans are permitted to trade, situated on the river Pe Kiang, usually called the Tigris, which falls into a large bay at Bocca Tigris. Foreign vessels anchor at Whampoa, where one or more Chinese custom-house boats are stationed to each ship to prevent smuggling.

The exports are teas, silks, nankins, paper, china ware, cottons, sugars, candy, matting, and furniture, to India—and zinc.

The black teas begin to come down at the beginning of October, and by the beginning of November are plenty in market. The green teas begin to come down about the 15th of October, and are plenty about the 10th of November. Black teas do not lose much by being a year old, except their freshness of smell. The crispness which is produced by artificial heat, is lost by age; and old teas are often fired a second time to give them the crispness of new teas, and in some degree, restore the flavour; for which they are often sold when mixed with new teas.

The imports are woollens, lead, tin, copper, dyes, quicksilver, furs, specie, ginseng, brandy, opium, (prohibited—still 3000 boxes are imported annually, being often taken on shore by the custom-house boats at the rate of 14 dollars per box,) wine, pepper, beetle nut, cotton, pearls, birds' nests, and sharks' fins.

Lat. 23° 07' N. Long. 113° 14' E.

Pilotage.

For a vessel of about 300 tons, from Macoa to Whampoa, inward \$60
Outward the same.

Ships generally have a comprador, who supplies the ship with provisions, a linguist, an agent or hong merchant, &c.

Your ship's comprador will expect a cumshaw or present of (\$200 to \$300, according to the number of the crew,) and if you employ the hoppo man, or custom-house officer, in his stead, the linguist will expect a cumshaw of \$200 in lieu of the above.

The linguist's own fee is \$216, beside boat hire.

The water mandarin 19

The cumshaw to the emperor, for every vessel, is 1950 talc, about 2778 dollars; besides which a tonnage duty is paid from 500 to 800 talc, according to the tonnage of the vessel.

A talc is worth one dollar and 39 cents nearly. In purchase of teas, sugars, &c. 72 candarins (or candareens) are one dollar—Chinaware and payments to comprador, &c. 75 candarins.

Chopped dollars are received by weight at 71.5 or 71.7—candarins, as you can agree—the dollar receive at the latter and pay at the former.

Bills on London, at 9 and 12 months sight, vary every year in price, from 5s. to 6s. per dollar.

All goods are put on board by the seller free of duties and all other charges.

Goods are imported free of charge, except boat hire, if sold to a hong merchant; the duty usually being included in the price.

All contracts with Chinese should be written in the English and Chinese languages, and read to them.

If the outside men, whose characters are not well established, buy of you, earnest money should be taken, as a penalty in case of non-fulfilment of the contract.

In the contract made with the hong merchant, the prices and quantity of your outward and present cargoes should be mentioned.

Factories are generally hired here by the masters or supercargoes of ships, and it is usual for two ships' families to live in one factory. The house comprador, who generally charges from 80 to 100 dollars, furnishes it with furniture, provisions, &c. for which he is separately paid.

The impositions to which all foreigners are subjected in trading with the Chinese, are well known, and the greatest circumspection and prudence should be observed in all intercourse with them. Boats should never be permitted to come alongside in the night.

At Macoa masters must go on shore and report the vessel and cargo in general terms to the Chinese custom-house officers, and they must report a cargo in order to be admitted without delay. The pilot cannot be obtained under 24 hours. He is accompanied by a mandarin, who should be watched. He furnishes the first boat from Whampoa to Canton with a permit, for which he receives 2 dollars.

Fishermen are to be found at Macao, who offer to pilot the ship up for 50 to 100 dollars, but will take from 15 to 30 dollars.

For moneys, vide page 57.

Weights.

16 tale=1 catty; 100 catties make 1 pecul=113½ lbs. avoirdupoise.

Long Measure.

10 punts=1 covid=14½ inches.

CHARLESTON,

The principal seaport in South Carolina. It stands on a peninsula, formed by the rivers of Ashley and Cooper, the former of which is navigable for ships of burthen 20 miles above the city. Lat. 32° 46' N. Long. 79° 48' W.

Charleston Port Regulations.

1st. No vessel shall remain unmoored more than one tide after her arrival, and one tide on her departure.

2d. All vessels arriving must anchor 50 fathoms from the nearest wharf; and bound out, 100 fathoms from the nearest wharf.

3d. No vessel shall, under any pretence whatever, be hauled to any wharf or into any dock, until her yards are topped, her jib and spanker booms rigged in, her spritsail yards put fore and aft, and such of her anchors as are not in use hove on the forecastle deck, or other suitable part of the vessel, so as not to obstruct the passage of other vessels by her sides.

4th. No vessel shall be placed so as to prevent others from hauling in and out of the docks.

5th. No fasts shall be run athwart any of the docks.

6th. Every vessel lying at the head of a wharf shall lay out a bower anchor, E. by N. and a stream or bower anchor E. by S.; the cables to be laid under the inner counter, and from the inner bow.

7th. All vessels lying at the head of Chisholm's south wharf, and Blake's wharf, and from Prioleau's to Gadsden's wharf, shall lay their heads to the northward. All vessels at the other wharfs shall lay their heads to the southward, except when the harbour-master directs otherwise.

8th. Every vessel lying fore and aft in a dock, shall have a bower out abaft, and the cable laid under her inner counter, and the anchor laid E. by N. or E. by S. or as the harbour-master shall direct.

9th. No vessel shall take or keep a birth at any wharf, contrary to the harbour-master's directions. He is to fix the births of all vessels.

10th. All vessels in ballast, light, or taking in a cargo, or retailing a cargo, at any wharf, shall give an inside birth to a loaded vessel that wants to discharge.

11th. No vessel shall be allowed more than 15 days to discharge her cargo; 10 days if under 200 tons, and 5 days if under 100 tons.

12th. No naval stores shall be landed at any wharf except Gadsden's or Blake's wharf, South bay. Not more than two bundles of hay or blades, or more than one dray load, shall be landed at one time. [By applying to the harbour-master, and getting his special permit, hay and blades, also naval stores, may be landed as he shall direct, on any wharf: provided, no hay, blades, or naval stores are left on the wharf after sunset.]

13th. No pitch, tar, or turpentine, shall be boiled on any wharf, or on board any vessel; but, for such boiling, a tub of sand shall be put into a boat, and moored to a buoy in the stream.

14th. No ballast, dirt, or rubbish, shall be hove into the docks or stream.

15th. No vessel shall be left entirely vacant, but must have a white ship-keeper on board, capable of taking care of her.

16th. No gunpowder shall be landed in the city from any vessel; no vessel shall be hauled into any dock or wharf, having gunpowder on board, until the same is discharged, under the penalty of one hundred dollars, with costs, for each offence.

17th. All masters of vessels, as soon as they have made their entry at the custom-house, shall deliver to the harbour-master a complete list of all his passengers, servants, and others, and signed with his own hand; their christian and surnames, place of nativity, residence, professions, and circumstances; and if there is any pauper or paupers, give bond for them to the intendant, as the law directs; penalty for neglect 100 dollars.

18th. All vessels in ballast or light shall give their inside birth to a vessel that wants to take on board her cargo immediately.

No vessel in ballast or light shall be allowed to take an inside birth, until her cargo is ready to be taken on board.

No vessel shall be allowed to hold an inside birth, to take her cargo on board, more than one week, if under 100 tons; 11 days, from 1 to 200 tons; 15 days, from 2 to 300 tons, and 20 days, if over 300 tons. No vessel shall retain her birth more than 24 hours, after her hold is stowed. No vessel is allowed to clean their bottoms in any of the docks where vessels load and discharge, but go to the ship-yards, or on the hard to clean or repair. The harbour-master shall order any empty vessel or vessels, that incumber the docks, into the stream, and be moored 100 fathoms from the nearest wharf; and have power to cut the fast of any empty vessel that refuses to move, when he directs her to be removed; if he is obliged to have her removed, he shall charge the expense to the owner or captain, who is by law obliged to pay the same.

19th. Every captain, commander, or owner of a vessel, refusing or neglecting to comply with any of the foregoing regulations, shall forfeit and pay, for the use of the city, the sum of 20 dollars, with costs, for the first day, and 50 dollars, with costs, for every subsequent day which he so refuses or neglects to comply with any such regulation.

20th. No master of a vessel can employ any slave to work on board his vessel, except such slave hath a city badge to work out.

21st. And it is the bounden duty of the harbour-master, and he is vested with full power and authority, not only to take care, and use his best exertions, that the foregoing regulations be in every respect promptly and punctually observed, maintained, enforced, and executed; but to take legal measures against any persons that may violate or transgress any of the said regulations; and to prosecute without delay every such offender before a court of justice, having competent jurisdiction to try and punish every such offence; and the harbour-master shall also have full power and authority to cut the fast or fasts of any vessel, within half an hour after notice is given, when the captain or commander thereof refuses or neglects, within that time, to slack the same, or to moor such vessel according to law; he hath power also, to remove any vessel, by the aid of such hands as shall be furnished by the wharf owner, or master of a vessel applying for a birth, provided they are competent for the purpose. And if any person or persons whatsoever, shall molest or obstruct the harbour master in the performance of his duties, or in the exercise of any of his powers, as aforesaid, they shall, for every such offence, forfeit and pay to the use of the city, the sum of 50 dollars with costs.

22d. A negro working on board a vessel, if he hath a badge, is entitled to receive 87½ cents per day, half a day's labour 43½, for one hour 12½ cents. If found with 3 meals on board, the captain may deduct 18½ cents, or 6½ cents for each meal.

No negro or person of colour, shall be guilty of whooping or holooing, or of making any clamorous noise or singing aloud any indecent song on board any vessel; the negro offending, to be whipped at the work-house; the captain to forfeit and pay 20 dollars for suffering such offence to be committed on board his vessel.

No master of a vessel shall suffer a dog or dogs to go ashore on any wharf, or into any part of the city, except the persons accompanying said dog shall have sufficient rope or chain fastened to the dog's neck, and one end of the rope or chain held by the person so accompanying said dog, to prevent his biting any person—penalty from 10 to 20 dollars for violating the law, and cost of prosecution, and the dog liable to be killed by any one.

Port wardens are appointed by the city corporation to inspect any vessels arriving in distress, and to report the state of the vessel and cargo, and to survey

damaged goods, and to report whether damaged or not, and the degree of damage. The expenses of the survey must be paid by the owner, master, or consignee. They take an oath faithfully to perform the duties of their office and are allowed the following fees:—

For survey of a vessel	5 dollars
a vessel and cargo	6
cargo	5
stowage of the hold of any vessel	5
goods after landed	5
For warrant and record thereof	2
For a copy of the survey	2

Foreign vessels pay an advance of 50 per cent. on the above rates.

For Pilot laws, vide page 191.
For Quarantine, 234.

For Passenger, vide page 253.

COLOMBIA.

This republic, which has so lately commenced its national independent existence, comprehends the Viceroyalty of New Grenada and the Captain Generalship of Caraccas, and extends on the eastern and northern shores of the South American continent, from Del Boca Toro about 120 miles to the westward of Porto Bello, to Guiana. It extends from Guatemala, with which it is connected by the isthmus of Darien, to Peru, on the western shore of the continent. Its principal seaports are Porto Cabello, (lat. 10° 29' N. long. 68° 04' W.) having a good harbour; La Guira, (lat. 10° 37' N. long. 66° 59' W.) the most frequented, though the worst harbour on the coast, it being the port of Leon de Carracas, Cumana, Coro, Maracaibo, Carthagena, Angostura, Porto Bello, Panama, and Chagres.

Its exports are coffee, indigo, cotton, timber, cattle, hides, tallow, jerked and salted beef, cocoa (the best in the world), excellent tobacco, dyewoods, drugs, and the productions of the West Indies generally.

Its imports are manufactured goods of all kinds.

The following regulations have been lately adopted by the new government. Those for the isthmus of Panama are separate.

Laws and decrees of the Congress of Colombia.

A law of the 21st of September, 1821, prohibits the importation of coffee, cacao, indigo, sugar, and molasses, under the penalty of a forfeiture of vessel and cargo. The same articles may, however, be freely exported from one port of the republic to another, in national vessels. Foreign vessels are allowed to traffic from one port to another with their original cargoes, or part of them, such part being in the same condition of package, &c. as when first exported. Captains or supercargoes of vessels must provide themselves the necessary certificates from the custom-houses to prove the state of such cargoes.

A law of the same date fixes the duties of exportation as follows:—

2. Coffee, cotton, sugar, molasses, spirit extracted from sugarcane, and building timber, are exempted for ten years from paying any exportation duty.

3. Hides, cacao, and indigo, pay ten per cent. on the current prices of the place.

4. Mules and horses 15 dollars a head.

5. Horned cattle 12½ dollars a head.

6. All other animals, fruits, provisions, dyes, precious woods, and other articles of trade not included under the foregoing heads, pay five per cent. according to the prices current.

7. The administrators of the customs are to fix, on the last of every month, a list of the prices current on the doors of their offices, signed and sworn to by two merchants, and three persons of property of known respectability.

8. Coined gold pays 3 per cent.; but the exportation of coined or unwrought silver is prohibited for two years.

9. To avoid frauds in the collection of this 3 per cent. on coined gold, the duty, called presumed exportation (*extraccion presunta*) is kept up.* This duty is applicable to such foreign effects as have not been entered in the respective custom-houses according to their value in gold coin.

10. All effects purchased abroad with the produce of the fruits and merchandise of the republic are exempt from this duty.

11. Merchandise and effects, purchased on credit in foreign countries, pay the duty of presumed exportation, four months after their importation, their value in gold remaining free (of duty) when again exported by the foreigner.

12. All effects carried from one port to another of the republic, are free from this duty.

13. Foreigners, who come temporarily to the ports of the republic, pay this duty on the merchandise they import and sell, according to their invoices at the customs, unless they export this value in produce of the country.

The following is extracted from a decree of the 12th of February, signed by Francis de Paula Santander, Vice President, and Josef Manuel Restrepo, Secretary for the home department:—

“No stranger, who comes to the ports of Colombia, or other places, with merchandise, can sell on his own account, or make shipments, without a consignment, as has been hitherto observed according to the existing laws.

“Colombian merchants, who keep open warehouses, can alone receive consignments to sell by wholesale; but shopkeepers can receive them to sell by retail.

“All foreigners who settle in Colombia may be assured that, while they observe the laws and constitution of Colombia, they will enjoy, in their persons and properties, the most complete security, according to the 183d article of the constitution.

“For the future, no one, whether Colombian or not, shall open a shop without giving notice to the political judge, and having his name enrolled in the list, under a penalty of 50 dollars, applicable to the expense of the war.”

Law relative to the duty of tonnage.

1. The Colombian ton consists of 20 quintals.

2. Foreign vessels pay half a dollar, and national vessels a real per ton.

3. 4. National vessels, below 20 tons burthen, pay no duty; and when above this burthen, they pay half a real per ton for the overplus, if trading from one port of the republic to another.

5. The duty on tonnage is levied as soon as a vessel has discharged her cargo, or ten days after her arrival in a regular port; except in cases of accident or stress of weather.

6. The administrators of the customs will receive the ship's papers on her arrival, and not return them till this duty has been paid.

Cucuta, Sept. 29, 1821.

Law relative to the re-payment of duties of importation on foreign articles re-exported from the ports of the republic.

1. Wine, spirits, porter, provisions, and necessaries of life, re-exported, have the duties returned which they paid, or should have paid, on their first importation.

3. But the importer must give his word of honour at the customs, that such articles were imported with the intention of re-exporting them, entire or in part, to the port of some neutral or friendly nation.

3. Six months are allowed for the purpose of effecting this re-exportation.

4. This limitation is no impediment to the collection of the duties of importation as usual, if the re-exportation has not been previously effected.

* If a foreign merchant imports 10,000 dollars in merchandise, and carries out but 5000 in produce, the remaining 5000 he is supposed to carry out in coin, which is the *extraccion presunta*, presumed exportation.

5. Within this period the owner, on making a manifest of the articles he wishes to re-export is allowed to re-ship them in the same state of package, &c. as when imported, provided their value exceeds 500 dollars.

These duties are returned on the day of the sailing of the vessels, 8 days notice being given, and 3½ per cent. reserved for the chest of the government.

9. Articles imported on these conditions cannot be sold in the country without permission of the sub-delegates of finance, with the knowledge of the administrators of the customs.

10. Purchasers of articles so imported are equally entitled to the repayment of the duties, although they should re-export them in a different vessel.

Cacuta, 27th September, 1821.

The Isthmus of Panama is situated in that part of the Spanish possession formerly under the government of the viceroy of New Grenada. Since it has thrown off the Spanish yoke, it has been united to the republic of Colombia. Its climate is hot and unhealthy, it being within 10 degrees of the equator. Its soil is prolific, and its produce similar to that of the West-Indies and Colombia. Porto Bello, the chief sea-port on the eastern shore of the Isthmus, has an excellent harbour, and its climate has been much improved since the settlement of the country. Panama, the port on the western shore of the Isthmus, 60 miles from Porto Bello, has also a good harbour or road, where any number of vessels may anchor in safety.

Commercial Regulations for the Isthmus of Panama.—General Arrangements.

Article 1st.—The ports of Panama, Chagres, and Porto Bello remain free. Friendly and neutral vessels, with every kind of merchandise, produce, and liquors, are permitted a free entry.

2d.—Masters and supercargoes shall, on arrival, deliver an exact account of the number of packages on board, with their marks and numbers, whether their own or belonging to merchants or passengers.

3d.—These accounts shall be delivered to the governor of the place, who will pass them over, certified, to the collector of customs, who shall compare them with the shippers' manifests; after which, they are to be returned to government, in order to be handed over to the proper authorities.

4th.—Every master or supercargo arriving at the port of Panama, shall, within six days, either discharge or quit the port; those arriving at Porto Bello and Chagres, are allowed fifteen days. If they discharge, the merchants and supercargoes shall, twenty-four hours before they commence unloading, present their manifests, with a clear and distinct account of every thing on board.

4th.—Strangers will not be permitted to transact their own business; but must account on determining to sell their cargoes, name a consignee who is a citizen of Colombia, and has a commercial establishment in one of the cities of the Isthmus, who shall be responsible to the custom-house for the duties which may accrue, and take all the necessary steps.

6th.—Merchants, captains, and supercargoes, either foreigners or belonging to any other state, shall be subject to the different usages which the laws of the country provide, such as the right of search, &c.

7th.—The manifests of cargoes must express whether they are intended for home consumption or for exportation.

8th.—The duties are not required in advance, nor are securities on exportation demanded; but the duties must be paid, on consumption, and in current money of the country.

9th.—All former duties, except such as are hereinafter established, are abolished. [The duties mentioned in the above article are termed *derechos de consumo y subvencion*.]

10th.—All the custom-house and municipal duties, as applied to their several objects, still exist. Brandy and wine imported from the north and south, either foreign or domestic, shall pay two dollars per barrel.

11th.—The existing tariff is adopted for the present, until government can make a more suitable reform.

12th.—The duties now paid on produce of the free countries of the Pacific, still remain in full force and vigour, until an alteration be made.

Imports.

Importations can be made into this Isthmus for two specific objects ; either for the consumption of the province, or for exportation.

Importations for Home Consumption.

Article 1.—All foreign merchandise imported by citizens of Colombia for the consumption of the province, shall pay 20 per cent. duty, 18 per cent to the state and 2 to the consulate. Importations by citizens of Chili, Peru, Buenos Ayres, and Mexico, 22 per cent., 20 to the state and 2 to the consulate. Importations by foreigners, 24 per cent., 22 to the state and 2 to the consulate.

2d.—Brandy, wine, and liquors, which are not the products of Peru, Mexico, Chili, and Buenos Ayres, shall pay 24 per cent.; and those that are distilled in or are the products of those countries, 20 per cent. on their respective valuations, whether imported in national or foreign vessels.

3d.—The anchorage and tonnage duties formerly paid, still remain in force with this difference, that vessels belonging to Chili, Buenos Ayres, Peru, and Mexico, shall pay two-thirds, and Colombian vessels one-half the former rates.

4th.—The following articles are imported free of duty: All implements of agriculture, iron, steel, arms and munitions of war, books, scientific instruments, maps, charts, printing materials, and machinery of every kind, even if sold for exportation.

5th.—As long as the monopoly of tobacco remains in force, the importation for sale on account of individuals, is prohibited ; but it may be brought in for exportation, as is hereafter explained, or for sale on government account.

6th.—All foreign flour not imported from the ports of the South or Mexico, shall pay over and above the duties detailed in Art. 1, one dollar per barrel as a permanent contribution.

7th.—Gold and coined silver, gold dust, bullion, gold in bars, jewels, and platina, are all permitted a free entry.

8th.—Every species of manufactured cloth, white or coloured, is prohibited ; and boots, shoes, chairs, sofas, tables, bureaux, and all cabinet ware, shall pay double duties to those detailed in the first article, which shall be proportionately applied to the funds of the government and consulate.

9th.—Merchants whose importations exceed one thousand dollars, shall be allowed two months credit on the duties, on their giving security, and if during this time they cannot sell, by proving the possession of the articles imported and confirming the security, the credit shall be extended two months longer.

Smuggling articles, amounting in value to 500 dollars, shall be confiscated, and if they exceed 1000 dollars, the whole cargo shall be confiscated.

Importations for Exports out of the Province.

Article 1.—There shall be public stores in the ports of Panama, Porto Bello, and Chagres, in which all articles entered for exportation (whether for the ports of the south or those of the north) shall be deposited.

2d.—All goods put in these stores for the purposes mentioned in the preceding article, shall pay according to the valuation spoken of in the 10th article of the general arrangements, six per cent. duty if imported by citizens of Colombia ; if imported by citizens of Peru, Chili, Buenos Ayres, and Mexico, eight per cent.; ten per cent, if by foreigners ; one per cent. of which goes to the consulate, and the balance to the state.

3d.—Brandy, wine, and liquors, of which these are ingredients, and foreign flour, which is not imported from the South or Mexico, whether for exportation or not, shall be subject to the import duties spoken of in the 2d and 6th articles on imports.

4th.—Tobacco can be warehoused for exportation, but not for sale in the province, (as prohibited in article 5, on imports,) and in this case, shall pay a duty of six dollars and two reals per quintal, if imported by citizens of Colombia ; eight dollars and two reals, if by citizens of Buenos Ayres, Chili, Peru, and Mexico ; and twelve dollars and four reals, if imported by foreigners.

5th.—No person can remove any thing from the public stores, without first paying the whole of the duties mentioned in article 1st, of imports ; an exact ac-

count being kept of what was paid on entry, in order to give credit for it as a part of what ought to be paid, if the articles had been imported for the consumption of the province.

6th.—If any part or the whole of these goods be exported, they shall be entitled to a debenture, for so much as they have paid over and above the duties on exportation to foreign countries.

On Exports.

Article 1.—Gold and coined silver, gold dust, bullion, silver in bars and ingots, and platina, are permitted to be exported.

2d.—Silver on exportation shall pay 4 per cent., gold 2 per cent., and platina, four reals per pound, all of which goes to the state.

3d.—All the productions of the country may be exported free of duty, except gold, which is regulated in the preceding article.

4th.—All merchandise which has paid import duties is permitted a free export, and no other can be exacted.

5th.—The export duties must be paid as soon as permission is granted.

For weights and measures, vide Cadiz, page 35.

For moneys, &c. vide pages 56, 58.

CONSTANTINOPLE,

The capital of the Turkish empire, situate on the strait dividing Europe from Asia. Lat. $41^{\circ} 01' N$. Long. $28^{\circ} 55' E$.

It cannot be strictly called a commercial city; but yet, standing in need of many European commodities, no inconsiderable trade is carried on by different nations, especially the French, English, and Netherlanders.

The great import article is woollen cloth of the finest quality, the smoothest surface, and the gaudiest colours. The best colours are violet, purple, green, crimson, scarlet, sky blue, flesh and cinnamon colours. Great quantities of silk-stuffs are imported from France and Italy. Paper is one of the best articles carried to Constantinople, and generally one of the most profitable; most of it comes from France and Venice. The other imports are tin, brass, &c. from Hamburg and the north of Europe; from England, sugar, spices, camphor, lead, quicksilver, cochineal, dyewoods, &c.

The exports are very few in comparison with the imports, consisting in wool, buffalo, ox, and cow hides, pot ashes, yellow wax, and some goat's hair.

The duties, both import and export, are generally 3 per cent. ad valorem.

The European merchants generally direct their correspondents, at Smyrna, to draw on Constantinople, or order remittances to be made to them from the capital in specie, in order to purchase the return cargoes at Smyrna.

The fur trade, between Russia and Tartary, is very considerable.

For weights and measures, vide page 37.

For moneys, &c. vide pages 56, 59.

COPENHAGEN

Is as well the capital as the seat of nearly the whole commerce of the kingdom of Denmark. It possesses one of the finest harbours in the Baltic, into which vessels of almost any burthen can enter. Lat. $55^{\circ} 41' N$. Long. $12^{\circ} 34' E$.

The imports are few, as the Danish West India islands are sufficient for the supply of colonial produce; and the duties are so high that, except tobacco, wines, and brandies, and some few articles of American produce, the Danes obtain but little, except from their own dependencies, and through the medium of their own factories and companies.

Their exports are, however, numerous—hides and skins in great quantities, horses, cattle, and oats, with some useful minerals of inferior value.

The greatest part of the trade of the Baltic passes and repasses and becomes

tributary here, and the whole of it is so to the Danish dominions; for most of the merchandise, which does not pass by Elsineur, goes through the canal of Holstein; and what does not pass through either of these two channels, which is but trifling, goes by way of Lubeck, yet still pays a toll, if sent by land carriage, in passing the skirts of Holstein to Hamburg or other places; so that the whole of the Baltic trade is tributary to Denmark.

Houses in the Baltic charge the Sound duties in the invoices, and have their own agents at Elsineur to clear all the merchandise shipped by them. If this be not the case, the merchants at Elsineur then draw upon the owners or agents where the goods are directed or addressed.

For weights and measures, vide page 29.

For moneys, &c. vide pages 54, 59.

Masters must report within 24 hours after arrival, under penalty of two rix dollars per day, and produce authentic bills of lading. If they do not report all their cargo, they must pay 20 per cent. on that part omitted, except they swear it was unintentional. If it belongs to master or mate, it is liable to confiscation, of double duty.

Masters must not sail without their told-zedel or passport, containing a list of the cargo, and certifying that the duties, &c. are paid, under penalty, if the cargo has not been duly entered, of confinement for life and treble duty on goods. If ship be in ballast, the penalty is 10 rix dollars. The production of false passports incurs a forfeiture of ship and goods.

Copenhagen is the only Danish port where brandy, salt, tobacco, and wine, may be imported.

Duties are payable at the Sound on almost all merchandise. Masters are allowed 4 per cent. out of the duties paid.

Fees payable at the Sound.

By order of	1687 to the director of the customs	$\frac{1}{2}$	of a rix dollar
_____	1701 to do.	$\frac{1}{2}$	do.
_____	1687 to the four chamberlains	1	do.
_____	1701 to do.	1	do.
_____	1687 to seal prester	$\frac{1}{2}$	do.
_____	1701 to do.	$\frac{1}{2}$	do.
_____	1687 to toll inspector	1	do.
		Laden.	In ballast.
Light money for ship and cargo		\$5 3 sk.	\$2 25 sk.
Pass, seal, writing money, and fees		2 12	2 12
Guard ship, 4 stivers each way, commission		0 24	0 24
Quarantine money for each person from beyond Cape Finisterre,		2 rix bank thalers	
From between Cape Finisterre and Lanskrona,		1	do.
Vessels actually put under quarantine pay, instead of the above duties, for the first visit of the physician		5	do.
To the inspector, while on board, per day		1	do.
For the quarantine pass		2	do.

These fees are paid in silver money.

DANTZIC

Is one of the first commercial cities in the north of Europe, and is situated on the west branch of the Vistula, near its entrance into the Baltic. Lat. 54° 22' N. Long. 18° 57' E.

The imports are chiefly coffee, sugar, rum, dyewoods, indigo, all kinds of spices, tobacco, nankins, printed calicoes, hardware, grindstones, and coals. Earthenware is prohibited. Salt may be imported, but must be sold to government at a stated price, or exported again.

The exports are exceedingly numerous—grain of most kinds, but especially wheat and rye—timber, both oak and firs, especially in staves of different lengths—seeds of flax, hemp, and rape—ashes, both pot and weed, of superior quality—feathers, bristles, and horse hair—yarns and linen—wax and tallow—spruce beer, and a liquor called, emphatically, Dantzic.

For weights and measures, vide page 51.

For moneys, &c. vide page 59.

DUBLIN,

The metropolis of Ireland, situated on the river Liffey, 7 miles from the sea, at the bottom of a beautiful bay. Lat. $53^{\circ} 22'$ N. Long. $6^{\circ} 17'$ W.

Three miles below the city is a commodious dock for packets and merchant vessels.

The exports are linens, beef, pork, butter, tallow, whiskey, &c.

The imports are American and West India produce.

For weights and measures, vide page 18.

For moneys and exchange, vide pages 50, 59.

The custom-house regulations, in Dublin, are similar to those at Liverpool.— Irish produce and manufactures (except linen, grain, cottons, refined sugar, molasses, and some few unimportant articles, which are free) are subjected to an export duty of one pound per 100 pounds value, except exported to some place in Europe or the Mediterranean, when the duty is reduced to ten shillings.— Besides this, specific export duties are imposed upon certain articles, too numerous to be mentioned.

EAST-INDIES.

Under this title, we shall include all such places beyond the Cape of Good Hope, except Australasia and Canton, as can be mentioned in this work without too much extending its limits.

British Possessions.

The greater part of the peninsula of India, containing nearly 200,000 square miles, is under the control of Great Britain. These territories are under three governments, viz. the port of Calcutta, of Madras, and of Bombay. Besides this country, several islands are subject to the authority of that kingdom, viz. Prince of Wales, Ceylon, the Moluccas, Bencoolen, and Mauritius.

American vessels by the treaty of the 3d of July, 1815, are received in the ports, and may trade with Bombay, Calcutta, Madras, and Prince of Wales island, on the same footing with those of the most favoured European nations. They pay no higher duties on imports or exports; but all goods exported must be unladen in the United States, and they cannot carry on the coasting trade of the British settlements. They may touch for refreshment at the Cape of Good Hope, St. Helena, and all other places in the African or Indian seas.

The imports at these places, are spiritous liquors, wines, iron, fish, naval stores, spars, and specie.

The exports are cottons, silks, sugar, saltpetre, indigo, cocoa, betel nuts, and specie.

For further information, vide Appendix.

Dutch Possessions,

Are Java, Banca, Celeberian isles, and the Spice Islands.

American vessels may trade with these settlements, and it is believed are on the same footing with Dutch vessels. At Batavia, the following duties are imposed; the original invoice of imported goods must be produced, and 30 per cent. added to the amount. Dutch and American vessels pay 6 per cent. on the sum total; foreign ships from Holland pay 9 per cent., and from other ports, 12 per cent.

It exports coffee, sugar, camphire, spices of a good quality but dear.

Regulations.

Duties for export, on all vessels, 2 per cent. on the value.

Duties for entrepôt, on all vessels, one fourth of the import duty.

The duties are in dollars and stivers, 66 of the latter to the Spanish dollar.

On all goods in entrepôt, on which full duties are afterwards paid, the amount of entrepôt duty will be allowed.

Goods in entrepôt cannot be cleared out in less than 14 days after entry.

Opium cannot be imported or exported in entrepôt, in less quantity than two pikuls.

Tobacco, wine, or spirits, cannot be allowed in entrepôt, unless the value is equal to 4000 rupees, nor cleared out in less quantity; except gin, which may be, in not less than 100 cases.

Gin imported in foreign vessels, coming from foreign ports, shall pay duties as such, but when shipped from the Netherlands, proof must be given of its being shipped there, to secure the difference of duty.

Artificial vinegar, foreign gin, rum, arak, or other spirits, will not be allowed in entrepôt.

Mocha,

A sea-port of Arabia on the Red Sea, famous for the excellence of its coffee. That which is raised at Udden has the preference. The coffee is brought to Mocha in April, May, and June, in a state unfit for the American market. It must be first cleaned, assorted, and packed. This is generally done after a cargo has been ordered by the master, who buys it in the rough state, either at Mocha or Beetlefackee, about 115 miles distant. The refuse, which is called coke, will sell at half price for consumption in Arabia. Salt is also made here; and it would be well for ships coming directly home, to ballast themselves with this article.

The other exports are myrrh, frank incense, cocoa, aloes, senna, ivory, gold, and gums. To procure a full cargo of gums, a long stay at Mocha would be requisite, or it would be better at once to go to Muscat, a port on the other side of the peninsula, at the mouth of the Persian gulf.

Anchorage duty, \$400. If vessels land no merchandise, this duty is not enacted.

This duty of 400 dollars is to be paid at Beetlefackee, if you purchase your cargo there, though it is not a sea port.

Gum also requires picking, &c. and there is a loss of from 10 to 15 per cent. in so doing. The Senna is also very dirty, and requires much cleansing. The duties on imports and exports are 3 per cent.; Brokerage on sales, 1½ per cent.; commissions, 2½ per cent.

The imports are glass, crockery, hardware, nails, common muskets, shot, knives, sabres, lead, tin, false pearls. Forage should be taken out from the United States for the subsistence of such live stock as may be taken on board at Mocha.

Weights.

15 Nokia	=	1 Rottle
40 do.	=	1 Mound
10 Mounds	=	1 Frazil, or 33lb. avoirdupois.

The merchant's frazil varies from 28 to 30lb. In purchasing, you should understand how many pounds are to be in the frazil.

For moneys; vide page 56.

GIBRALTAR

Is situated on a peninsula commanding the entrance into the Mediterranean. Lat. 36° 06' N. Long. 5° 20' W.

This is a great commercial station, being a depôt for foreign produce, with which it supplies the adjacent provinces of Spain, and trades largely with the Moors of the opposite coast of Barbary.

Vessels lie within 3 moles—the old mole at the upper end of the town for merchant vessels, the sloop's mole, and the new mole for ships of war.

Gibraltar is a free port, subject to no duties, and to few restrictions. Spirits cannot be landed, unless accompanied by a cocket from England. All kinds of

British manufactured goods are to be found here: the charges amount to about five per cent. on purchases, $7\frac{1}{2}$ to 8 per cent. on sales, except on bulky articles of little value, such as earthenware, porter, &c. which are subject to much higher expenses, according to the time they remain unsold, in consequence of the extremely high rent of store-houses.

For weights and measures, and moneys, vide Great Britain, page 18.

GLASGOW,

The largest seaport in Scotland, situated on the river Clyde. Lat. $55^{\circ} 52'$ N. Long. $4^{\circ} 16' W$.

Large vessels, bound to this place, unload at Port Glasgow, or Greenock, 15 leagues below Glasgow.

Its manufactures, and consequently its chief exports, are muslins, cottons, calicoes, woollens, porcelain, glass, refined sugars, and tanned leather.

Its imports, the produce of the United States and the West Indies.

These ports, together with Leith, are the only legal ports for the importation of tobacco.

HAMBURG.

Is seated on the rivers Elbe and Alster, about 18 leagues from the sea, lat. $53^{\circ} 38'$, N. long. $9^{\circ} 56'$ E. the most considerable free hanseatic city, and the place of greatest commercial importance in Germany. What has been already said of Bremen, applies in a quadruple proportion to Hamburg, inasmuch as

1st. The situation of the latter, on the river Elbe, is more advantageous for extensive internal communication than that of the former on the River Weser.

2dly. Because vessels of much greater burthen can come up to the latter, than to the former.

3dly. Because the port of Bremen, beside being thirteen miles from the city, is inconsiderable with that of Hamburg.

4thly. Because Hamburg is itself a considerable city, full of as wealthy merchants as any in Europe, invested with sovereign power within its own jurisdiction, blessed with a port and river which nothing in Europe excels, except the Thames. Beside the Elbe, which enters the German Ocean here, they have an immediate water communication with Lubeck and the Baltic. It is furnished by different rivers, which communicate with the Elbe, with the manufactories of Austria, Bohemia, and Saxony; with the productions of Silesia, Moravia, and Poland, even to the confines of Hungary; so that it has more articles of commerce for exportation than most cities in the world. The articles of export are linens, grain, wax, leather, flax, glass, iron, copper, smalts, rags, staves, and various wooden articles. The linens go chiefly to America and the West-Indies; platillas, Britannia, Uccome, from Silesia; the striped and checked creas from Lusatia, where they are generally bought up by the Hamburg merchants. It is well therefore to give an order some months beforehand.

Sorts of Linen.

Platillas Royales,	35 yards long, 15-16ths wide.		
Brown Silesias.			
Britannias,	7	do.	
Ditto,			9-8ths wide.
Dowlas,	67 $\frac{1}{2}$	do.	15-16ths do.
Ditto,	33 $\frac{1}{2}$	do.	7-8ths do.
Ditto,	67 $\frac{1}{2}$	do.	11-16ths do.
Creas,			15-16ths do.
Do.			7-8ths do.
Do.			11-16ths do.
White Sheeting,	50	do.	5-4ths do.
Striped and checked	43	do.	3-4ths do.
Blue and white sailor's linen,	34	do.	6-16ths do.

Wahrendorps for fine shirts,	36	do.	
Bed Ticking,	33	do.	
Plain Lawns with $\frac{3}{4}$ per cent. ralet	3 $\frac{1}{2}$	do.	15-16ths do.
Do. flowered and cobwebbed do.			
Clothing diaper	35	dq.	
Do.			5-4ths do.
For 12 pieces of table-cloth, Damask,			9-4ths, 10-4ths.
Do. do. diaper,			6-4ths, 8-4ths.
For 100 English ells Osnaburgs,			11-16ths, 3-4ths.
Do. do. Techlenburgs,			3-4ths wide
Russia Sheets	36	do.	9-8ths do.
Duck } Bart money with 25 per ct.			13-16ths do.
Ravens Duck } in banco.			3-4ths do.
Linen for coarse rags	35	do.	15-16ths do.
Hessia Rolls,			4-4ths do.
Brown Rolls, the 1 English Ell			3-4ths, 13-16ths.
White Rolls,	11 $\frac{1}{2}$	do.	7-8ths wide
Listados or checks	43	do.	9-8ths do.
Ditto.	21 $\frac{1}{2}$	do.	
Ditto, or Slops, No. 2.	17 $\frac{1}{2}$	do.	7-8ths do.
Quadruples Silesias	35	dq.	15-18ths do.

Wheat can frequently be shipped here at as low prices as in the Prussian and Mecklenburg ports. In fact, most Baltic articles, such as flax, iron, wax, &c. can generally be obtained as low from Hamburg, on account of the difference in the freight, as from the ports in the Baltic, whence they originally came.—The export of Saxon smalts is very considerable; the quantities are F. F. G., H., M. C. and O. C.; rags, for the use of paper manufactories; quills, hides, and drugs are also frequently shipped. The imports are coffee, chiefly, from Martinique, St. Domingo, and Surinam; Havana, Brazils, and Martinique clayed sugars; also some foreign Muscovado rum, cocoa, dye-woods, cotton, rice, tobacco, indigo, spices, tea, wines, twist, &c. All merchandise imported or exported by sea, except such as are mentioned hereafter, pay a duty of one and a half per cent. currency, ad valorem in banco, which must be paid before the landing of the same. Flour pays, in addition, an excise duty of one marc eight shillings currency per 100lbs. when imported; but no other article is subject to it, except what is paid by the consumer himself. If goods arrive here for immediate re-exportation, they may be bonded on arrival, and pay no duty; free of all import duty are corn, books, linen, yarns, tin, copper, coined silver, and gold: free of duty, on exportation, are all Hamburg manufactured goods; the state duty, levied by the Hanoverian government on merchandise coming or going by sea, is trifling for most articles—for some, more heavy. The stamp duty on bills and policies is very inconsiderable; brokerage on all articles, with a few exceptions, is only paid by the seller, and varies, but most generally it is five-sixths per cent. currency on the value in currency. All other charges, as lighterage, landing, housing, weighing, delivering, ware-house rent, insurance against fire, &c. are very moderate.

All merchandise is either sold on two or three months credit; or, with a discount of one to one and a half per cent. for ready money; even then no calculation can be made on receiving the money before eight or fourteen days after the delivery. The commission charged on purchase or sale, is two and a half per cent.; for guarantee of debt, one and a half per cent. if sold at two or three months credit, and half per cent. if sold for ready money, unless the consignee wishes to take the risk upon himself.

CONDITIONS OF SALE.

Imports.

Coffee is sold per pound in schill banco, discount one per cent.; good weight is half per cent. Tare is as follows, viz: on casks, real weight; on bags of 150 lbs. or less, two lbs.; above 150 lbs. and not above 180 lbs., 3 lbs.; above 180 lbs. and not exceeding 200lbs., 4lbs. On Mocca bales of about 500lbs., 14lbs.; if 600lbs., 30lbs.; on Bourbon, single bales, 2lbs.; on double, 4lbs.

Cocoa is sold per lb. in schill currency, uncertain agio; discount, one per cent.; good weight, and tare as coffee.

Cotton is sold per lb. in groats Flemish, with a rebate of eight and two thirds per cent; discount, one per cent.; good weight, one per cent.; tare on bales, West Indian and North American, 4 per cent.; on square bales, six per cent.; on Bombay and Surah bales, 8 per cent.; on Bourbon bales, and Manilla serons, 6 per cent.; on Caraccas and Guinea, small serons, 10 per cent. For the regulation of the state duty, all packages should be called bags or bales in the bill of lading.

East India piece goods are sold per piece in marcs banco; discount one per cent. For saving in the state duty, if more than thirty pieces are in a bale, the number of pieces should not be mentioned in the bill of lading, but only the number of bales.

Flour is sold per 100lbs. in marcs currency; uncertain agio; discount, one per cent.; good weight, one per cent.; tare, 20lbs. per barrel.

Fustic is sold per 100lbs. in marcs currency; agio, twenty per cent.; discount, one per cent.; good weight, one per cent.; and frequently an allowance in weight is made, if the wood is not very solid.

Ginger is sold per lb. in groats, Flemish, with a rebate of eight and two thirds per cent.; discount one per cent.; good weight, one per cent.; tare, like coffee.

Indigo is sold per lb. in schill Flemish, with a rebate of eight and two thirds per cent.; discount, one per cent.; good weight, half per cent.; tare, if in serons, upwards of 120lbs. twenty-two lbs.; in half serons, less than 120 lbs., twenty lbs.; in chests, real tare.

Log-wood is sold like fustic.

Nankeens are sold per piece, in schill banco; discount, one per cent. For saving in the state duty, if a bale contains more than sixty pieces, no number of pieces, but merely of bales, should be mentioned in the bill of lading.

Nicaragua wood is sold per 100lbs. in marcs currency, with uncertain agio; discount, one per cent.; good weight, &c. like fustic.

Pepper is sold per lb. in groats Flemish; discount, one per cent.; good weight half per cent.; tare, if in single bales of 300lbs., three lbs.; in double bales, six lbs.

Pimento is sold per lb. in schill currency; agio, twenty per cent.; discount, one per cent.; good weight, one per cent.; tares, if in casks, real weight; if in bags of 120lbs. two lbs.; in bags of 250lbs. three lbs.

Quercitron bark is sold per 100lbs. in marcs currency; agio, twenty per cent.; discount, two per cent.; good weight, one per cent. to determine the tare, the American tare is reduced to Hamburg weight.

Rice is sold per 100lbs. in marcs currency; agio, twenty per cent.; rebate, eight and two thirds per cent.; discount, one per cent.; good weight, one per cent.; tare, real; and super tare for tierces, four lbs.; for half tierces, two lbs.

Rum is sold per 30 quarts, in rix dollar currency, agio uncertain; sugar, raw and clayed, is sold per lb. in Flemish groats, with a rebate of eight and two-thirds per cent.; discount one per cent. and sometimes one and a half per cent.; Brazil or Havana chests, good weight, three quarters per cent. real tare; super-tare, ten lbs. for Brazil, and five lbs. for Havana sugar, per chest; Muscovadoes in casks, good weight, one per cent.; tare, if the casks weigh upwards of 1000lbs., eighteen per cent. if less, twenty per cent.; clayed sugars good weight, one per cent.; tare, sixteen per cent.; East India sugars, in bags, good weight, three quarters per cent.; tare for white, four to five lbs., for brown, six to seven lbs.

Tea, per lb. in schill currency, agio uncertain; discount, one per cent.; good weight, half per cent. Tare of bohea, in chests of 400lbs., seventy lbs.; of 150 to 180lbs., forty-five lbs. All black tea, twenty-eight lbs. tare; green, twenty-four lbs.; for the regulations of the state duty, the net weight should likewise be mentioned in the bill of lading. Tobacco leaf is sold per lb. in schillings currency, agio uncertain; discount, one and a half per cent.; good weight, one per cent.; tare, per cask, eighty lbs. Brazil leaf in serons, tare, five per cent.; in rolls, canisters in baskets of about 100lbs. good weight, one lb. per basket; tare, 14lbs. if the basket is packed up in linen, and 12lbs. if without linen. Porto Rico rolls, good weight, one per cent.; no tare, as the rolls are weighed by themselves; Brazil rolls in serons of 4 to 600lbs., are sold per lb. in schillings

banco ; good weight, three quarters per cent. ; tare, eight lbs. per serons. Tobacco stems, per 100 lbs. in marcs currency, agio uncertain ; discount, one and a half per cent. ; good weight, one per cent. ; tare, if in casks, real weight ; if packed up with cords, two to four per cent. according to the thickness of the rope. As there is a great difference in the state duty for the different sorts of tobacco, it is necessary that, on shipping leaf tobacco, there should be inserted, in the bill of lading, leaf tobacco, and the net weight. With tobacco in rolls, only the number of packages containing roll tobacco and the net weight, without mentioning the number of rolls, should appear in the bill of lading.

Exports.

Glass, (window,) is sold per chest, in marcs currency, agio uncertain ; other glass ware, per piece, dozen, or hundred, in schillings or marcs currency, with uncertain agio ; discount, one per cent.

Hare Skins (German gray) are sold per 100 pieces, in rix dollar banco ; Russian, gray, per 104 pieces in rix dollar banco ; white, in marcs currency, agio uncertain ; discount, one per cent.

Iron is sold per ship pound of 280lbs. in marcs currency, agio uncertain ; discount, one per cent.

Copper is sold per ship pound of 280 lbs. in rix dollars, banco discount, one per cent.

Linen Estopilles are sold per piece, in marcs banco, with a rebate of eight and two thirds per cent. Sail cloth, ravens duck, and flens, per piece, in marcs currency ; agio uncertain ; Osnaburg and Tecklenburgs, per 100 double ells, in rix dollars banco. All other linen per piece, in rix dollars banco ; discount one per cent.

The exchange business done at Hamburg is very great ; for besides the business of the place, most of the merchants in the inland towns have their bills negotiated here.

When goods are sold with deduction (rabatt) of eight and two thirds, or four and two thirds per cent., it means a deduction of eight and two-thirds for 108½, or four and two-thirds for 104½ ; the agio on many goods sold in currency is a fixed one, and either 20 or 25 per cent. ; with others it is uncertain, and according to the agio existing at the moment.

The government of the Netherlands has laid such heavy duties on the transit of English manufactured goods, that a large portion of this trade is now attracted to Hamburg.

For weights and measures, vide page 27.

For moneys, vide pages 53, 60.

HAVRE DE GRACE,

A seaport of France, situated on the right bank of the Seine, one league from Cape de la Heve. Its harbour dries at low water ; but the tide does not begin to fall until 3 hours after high water, which phenomenon is probably caused by the current of the Seine crossing the mouth of the harbour with great force at the beginning of the ebb. Lat. 49° 29' N. Long. 0° 06' E.

Its exports are woollens, linens, cottons, silks, perfumery, toys, watches, paper, hardware, and generally the manufactures of France.

Its imports, raw cotton, iron, naval stores, dyewoods, pot and pearl ashes, green hides, tallow, feathers, furs, colonial produce, &c.

For the privileges of American vessels and custom-house regulations, vide Bordeaux, page 380.

For weights and measures, vide page 24.

For moneys, &c. vide pages 51, 63.

Port Regulations.

There are three basins at Havre—the outer basin, the basin de la barre, and the basin of commerce. Ships may all lie afloat, except when the red flag is hoisted on the bridges, which is the signal of their letting the water out to clean the basins. The depth of the water on the entrance depends upon the winds :

at neap tides you cannot come out of the basins with vessels drawing more than 14½ feet water; at spring tides there are 17½ to 18 feet. On entering the harbour, all fires and lights must be extinguished, under a penalty. No smoking of tobacco allowed on ships' decks, under a penalty. Lower yards must be topped, and fore-and-aft spars taken in.

All foreign sailors are taken up after the retreat drum is beat, unless they have a consul's pass.

Pilotage.

For the first 100 tons,	22 f.	For the fourth	12 f.
second	18	each 100 beyond 4	22
third	15		

On foreign vessels, 50 per cent. more.

LEGHORN

Is a fine town, with a capacious but shallow harbour; and on account of the comparative advantages and freedom which foreign nations enjoy here in all respects, its commerce is very extensive; and, by the decay of that of Venice, Genoa, and other Italian seaports, on the increase. Even Florence, the capital of Tuscany, within the territory of which Leghorn is situated, is dependent on the latter for its commerce, for it supplies the whole of the interior with the produce of the Levant, of Europe, and of the East and West Indies; and is the medium of all commerce with the coast of Barbary. Lat. 43° 33' N. Long. 10° 22' E.

The exports from all the Italian ports are much the same—silk, raw or manufactured, making one of the principal differences; fruit, oil, parmesan cheese, marble, hair-powder, drugs, &c.

The imports are almost every thing which the world produces, excepting the commodities which have been enumerated, and the few others which Italy can boast, particularly hides, codfish, salmon, coffee, sugars, dyes, spices, &c. Small fish are preferred to large, and white sugar to brown.

Goods, in general, are bought and sold for silver money; between which, and the money in which bills of exchange are bought, there is a difference of 7 per cent. (agio) against silver—that is, 107 dollars in silver are equal to 100 in gold. On goods bought and sold (unless it be in effective money, where there is no discount) there is, generally speaking, a discount of 3 per cent.—on all cotton manufactures, 4 per cent. Charges on sales, including commissions, are generally from 6 to 8 per cent.—on fish, 8 to 10 per cent.

For weights and measures, vide page 38.

For moneys, &c. vide pages 55, 61.

LISBON,

The capital of Portugal, situate on the river Tagus, and has one of the finest harbours in the world: Lat. 38° 42' N. Long. 9° 8' W.

Wine is the most considerable article of exportation, and the quantity shipped, both from Lisbon and Oporto, is very great. Salt is also an article of commerce, and the Portuguese salt has the quality of preserving provisions better than that of any other country. The country yields excellent white honey—fruits, such as lemons and oranges, which are, however, very inferior to the Spanish—almonds, with which the pigs are fed, and to which the Portuguese hams owe their celebrity—and figs are produced in Algarue, which are chiefly consumed in the country. The Portuguese wool is coarse, and much inferior to the Spanish.

The imports are flax, iron, wheat, salted fish, copper, lead, provisions, grain, flour, and West India produce.

To the north of Europe, the exports are wines, salt, fruits, and some colonial produce; and the returns consist in hemp, flax, iron, timber and deals, stock fish, pitch, tar, Russian and German linens, and particularly grain. A great smuggling trade is carried on with Spain, in sugar, tobacco, spices, &c.

For weights and measures, vide page 35.

For moneys, &c. vide pages 56, 62.

Light money is 25 cents per ton on vessels not taking produce, and 5½ on those that trade in Portuguese produce.

LIVERPOOL,

A seaport in Lancashire, England, and the second town in the kingdom for commerce, is situated on the right bank of the Mersey, 3 miles from its mouth, where it is 1500 yards wide. It has an excellent harbour, formed with great labour and expense; and docks for the reception of ships, having been built capable of containing more than 300,000 tons of shipping. Lat. 53° 22' N. Long. 2° 52' W.

The principal manufactures in this place are fine porcelain, earthenware, watches, stockings, glass, iron, salt, copperas, cordage, and malt liquor, though coal and large assortments of all English manufactures, for the American market, may always be procured here, being situated near to the large manufacturing towns.

By treaty American vessels are put on the same footing in British ports with British vessels, and are liable to no other duties. American produce is liable to the same duties, and entitled to the same drawback upon exportation, whether imported in American or British vessels; and British produce is subject to the same rule, whether exported in American or British vessels.

Custom-house Regulations.

Vessels must be reported within 24 hours after arrival, under the penalty of 200 pounds.

All letters must be delivered before the vessel will be permitted to enter; for each of which the master will receive, from the postmaster, 2d.

Manifests of the goods on board are to be made out, and produced upon being demanded by the custom-house officers. Master and mate will forfeit 200L. if they suffer bulk to be broke until properly authorized, or if the marks and seals are altered. If the report, manifest, and cargo, disagree, the master is subjected to a forfeit of 200L., unless it appear that no fraud was intended.

Goods must not be thrown overboard in port; or within 4 leagues of the coast, except in distress.

Goods must be entered within 20 days after report, or they will be sent to the public stores.

Master and mate must give bonds in the penalty of 200L. before clearance, not to land goods illegally.

Masters must bring to at the usual places of stationing revenue officers, under penalty of 100L. Revenue officers are to have free access to the cabin or any part of the ship.

Goods cannot be shipped for exportation until a copy of the coquet or entry (with the endorsement) thereof be delivered to the searcher.

If imported goods be opened and carried away, or put into any other package after arrival, or if goods to be exported, shall be concealed, the master or other offender shall forfeit 100L.

Goods must be landed and shipped in presence of an officer, under severe penalties.

Passengers' baggage (except watches and fowling pieces) is not liable to duty. If the officers refuse to pass it under pretence that the articles are not of that description, they may be placed in the king's warehouse, free of duty, for six months.

Where goods are lost, or accidentally destroyed, before landing, the duties will be returned. If goods, which have not been reported should be found, after clearing vessel, they will be forfeited.

Bills of entry must be signed by the merchant, importing or exporting goods or by his agent. Entry must specify marks and contents of each package, and weight of each parcel rated by weight, and state whether goods be on British

or alien account, and no entry can be made in the name of the children of aliens under 21 years of age.

Any produce of any of the United States, except specially prohibited, may be imported in American vessels; but if manufactured in any degree in foreign parts, they are prohibited.

When the duties, either import or export, are to be taken by the value, they are first deducted from the real value at the port of exportation. Goods undervalued, may be detained by the officer; the importer receiving the value as declared, and the duties which he paid. The commissioners may permit an amendment of the entry. The value declared on the prime entry governs the post entry.

Returned goods are to pay the same duties as they would have been liable to on a regular importation.

If a bounty was received thereon at exportation, it must be returned on re-importation.

Goods by tale or measure are not allowed to have a post entry; but by an article in the landing waiters' instruction, a post entry may be allowed for linen, if less than one ell per piece.

More goods are not to be left on board any vessel at clearing inwards, than such as the duties thereon would not amount to more than 40 shillings.

But vessels importing tobacco are not to be forfeited on account of having on board any quantity loose, for the use of the seamen or passengers, not exceeding 5 lbs. for each person.

Printed patterns of calico or linen may be admitted free of duty, provided they are intended to be used merely as patterns, and afterwards re-exported.

Exports.

The exporter must deliver to the custom-house a shipping bill, with an endorsement specifying the value, &c. of the goods.

If the true value of goods to be exported cannot be ascertained, they may be shipped on the merchants giving a bond, that he will produce a shipping bill and declaration of the real value, and pay the duty within 3 months. If a false declaration is then knowingly made, the value thereof is forfeited.

If bill of goods be not produced, the importer shall forfeit £20.

If goods, on which the export duties have been paid, are lost at sea, a like quantity may be exported free, upon proof being made of their loss to the baron of the exchequer.

If goods, to be exported, be undervalued, they may be taken by the custom-house officer.

The export duty on British produce or manufactures (except linen, cotton, grain, molasses, refined sugar, and some few other goods, which it is not necessary to enumerate, all which are free,) is 10 shillings for every £100 value.

There is an additional duty on coals of 17 shillings per Newcastle chaldron; if sold by weight, 5s. 9d. per ton.

On culm, per chaldron, 4s. 6d.

Salt, intended for exportation, pays 1d. per bushel, excise duty, at the pit. When exported the home consumption duty of excise, paid at the entry thereof for exportation, is deducted from its value, and the balance is deemed to be the real value at the port of exportation; and a bond is required from the captain and two sureties, that it shall not be relanded.

On the exportation of sugars, tobacco, cotton, indigo, ginger, fustic, or any dyewood, the produce of any English colony, or of any goods liable to excise, a bond must be given to land them in the United States, which bond shall be annulled by a certificate from the British consul, or, if none in the port of arrival, by a magistrate of the United States.

Debentures.

No entry can pass, or debenture be made out on exportation of goods, entitled to drawback or bounty, but in the name of the real owner, if a resident in Britain, who is to make oath that he is the real owner; and if he has not obtained a right to the drawback or bounty, he must, at the time of entering the

goods, declare upon the entry the name of the person who is entitled to such drawback, and that person is to sign the receipt to the debenture.

But persons residing upwards of 20 miles from the place of exportation, may export goods by and in the name of an agent; as also may any person, exporting from a place where he does not reside, goods of British manufacture, his property; such agent making oath, on the back of the debenture, to the name and place of abode of the real proprietor of the goods.

Drawback is not allowed, except the goods are shipped within 3 years from the importation, and if warehoused on importation within 1 year after the duty being paid, and claimed in 2 years after being shipped.

Warehouse system.

When goods are warehoused, the importer is at the expense of the rent, and if destroyed by fire, no duty is to be paid. When taken out they are to be re-examined. When delivered for exportation, a bond is to be given in treble the amount by the exporter, the master, and a surety, for the due landing them, and the production of a certificate if in the United States, within 18 months.

No goods are to be delivered from the warehouse, except in the original package, or one equal thereto. If not taken out in 2 years, (except tobacco, which may remain 3 years,) they are to be sold; but if they will not sell for as much as the duties, they are to be destroyed. If delivered for home consumption, they are liable to such duties as are due at the time of taking them out, according to the account taken at the first examination; if for exportation, duties must be paid upon all deficiencies.

Goods may be removed from one warehouse port to another, upon giving bonds to deliver the same to the collector of the intended port without diminution. If, upon their arrival, there should be any deficiency, full duties shall be paid for such deficiency.

Tobacco can be warehoused free of charge for 18 months, and after that period it pays 1½d per hogshead per week.

Goods sent to the king's stores, and remaining there three months, may be sold for the duty and charges of warehousing, &c.—the overplus, if any, to be paid to the proprietor.

Tonnage.

The inward tonnage duty, on any American vessel, from any part of Europe, except Ireland, or the Isle of Man, the Mediterranean, the United States, or any part of America, except Newfoundland, or Labrador, or Africa,

Outward duty the same

To the trustees of the docks

per ton	£0	1	0
	0	1	0
	0	2	6

This duty must be paid before passing through the custom-house.

A book, containing the port regulations, is given to every foreign vessel.

Light-house duties, 2d. per ton—Floating do. 1d.

Quarantine duty.

On vessels from the United States, performing quarantine,*

with a clean bill of health, per ton

without do. do.

£0	3	0
0	10	0

Pilotage.

Inwards, 8s. per foot

Outwards, 5s. per foot.

Terms of Sale.

Cotton is sold upon a credit of 10 days and 3 months, by drafts payable in London. That is, 10 days after sale the purchaser gives bills, made equal to cash in 3 months and 10 days from the day of sale.

Tobacco and ashes are sold on a credit of 2 and 2 months, by bills payable in London. That is, 2 months after the date of sale the purchaser gives a bill made equal to cash in 4 months from the day of sale.

Bark, flour, rice, staves, and flaxseed, are sold on a credit of 1 and 3 months. Naval stores are, generally, sold upon a credit of 2 and 2 months, the same as tobacco, but frequently these articles are sold for an acceptance at 4 months. For weights and measures, vide G. Britain, page 18. For moneys, vide pages 50, 66.

LONDON,

The metropolis of Great Britain, and the greatest commercial place in the world. It is situated on the river Thames, nearly at the head of tide-water. The port extends along its banks from Deptford to the bridge, about 4 miles in length. The wharves having been found inadequate to its increasing commerce, superb docks have been excavated to receive vessels from various parts of the world. West India dock, for outward bound vessels, is 2600 feet long, and 400 broad; that for inward bound vessels, 2600 feet long and 500 broad, and capable of receiving 300 vessels of 300 tons burthen.

London dock,	1260 feet long, 690 broad.
East India discharging dock,	1410 feet long, 560 broad.
East India loading do.	780 feet long, 520 broad.

Lat. 51° 31' N. Long. 0° 06' W.

To this port are confined some branches of foreign commerce, viz. the company trade to the East Indies, Turkey, and Hudson's Bay. All English manufactures, and the productions of all other parts of the world, are to be found here. The most important of its peculiar manufactures are silk weaving, the making of optical and mathematical instruments, porter, &c.

The port regulations are too numerous to be here inserted. They are furnished to all vessels upon their arrival.

For custom house regulations, &c. vide Liverpool.

An additional shilling, per ton, is exacted here for quarantine duties, besides the quarantine duties paid in other ports.

Masters, upon their arrival off Dungeness, must display a signal for a pilot, and keep it flying until they have passed the buoy of the Brake; and if a pilot comes within half a mile, with the pilot's signal flying, must take him on board, if possible, under penalty of 5*l*. for every 50 tons, and double pilotage.

Pilotage.

		£	s.	d.
From or to the sea—Downs to or from London docks,	7 feet,	6	8	0
	8 do.	7	1	0
	9 do.	7	16	0
	10 do.	8	11	0
	11 do.	9	15	0
Ships not having British registers pay one-quarter more, to be paid at the custom-house.	12 do.	10	10	0
	13 do.	11	10	0
	14 do.	12	10	0
	15 do.	13	10	0
For half a foot between these draughts of water, the medium price is to be paid.	16 do.	14	5	0
	17 do.	16	0	0
	18 do.	18	10	0
	19 do.	22	6	0
	20 do.	25	5	0
For removing a vessel from moorings into a dock, if under 300 tons		0	15	0
	from 300 to 600	1	1	0
	from 600 to 1000	1	11	6

In London goods cannot be entered, on the account of aliens, until the entry be signed by the collector of the city.

MARSEILLES,

A seaport of France in the Mediterranean, at the end of a gulf studded with islands. Lat. $43^{\circ} 18'$ N. Long. $5^{\circ} 22'$ E.

The imports are cotton, rice, indigo, and American and West India produce generally.

Cocoa—the consumption of this article is not extensive.

Tobacco—the annual quantity consumed in this port is 1200 hhds. which must be sold to government; but speculators sometimes purchase in entrepôt, for exportation, and not unfrequently sell to government.

Hides, Buenos Ayres—the autumn and the winter are the seasons when they are in the greatest demand, and find a ready sale.

Nankins, short, are in demand in February and March, when they are most saleable. From 50 to 75,000 pieces are required for the supply of the market, and that early in the season.

Cochineal is in constant demand here, as well for the manufactories in this vicinity, as for various parts of the Levant.

Coffee—the tare on coffee in casks, is neat; in linen bags, 1 percent; in grass bags, neat, or as may be agreed on at the sale. The supplies for the south of France, Switzerland, and Piedmont, are principally drawn from this port, and small parcels are constantly shipped from this port by vessels going to the Levant.

Its exports are fruit, oil, perfumes, wines, drugs, and the manufactures of France.

For commercial regulations, &c. vide Bordeaux.

A very rigorous quarantine is kept up here, to prevent the introduction of the plague.

MEXICO.

This kingdom comprehends all that part of North America lying between the southern borders of the United States and the 18th degree of N. latitude. Its products are universal, its soil being rich, and from the peculiar and elevated face of the country, it is enabled to bring forth the productions of various climates, under the same degree of latitude. Its manufactures of wool, cotton, leather, segars, gunpowder, soap, and soda, are large and numerous, and the trade with this great empire will afford a large field to American enterprise.—Its commerce with the United States, West-Indies, and Europe, is chiefly carried on through the port of Vera Cruz, in lat. $19^{\circ} 11'$ N. long. $96^{\circ} 04'$ W.—From this port Spain has received her chief supply of the precious metals, amounting in peace to about \$17,000,000 per annum; cochineal, \$2,400,000; sugar, \$1,300,000, &c. The imports are bale goods, \$9,000,000; paper, \$1,000,000; quicksilver, \$650,000; cocoa, \$1,000,000.

The principal port of Mexico on the western side of the continent, is Acapulco, once celebrated as the annual resort of galleons; its harbour is a beautiful basin, ten miles long and three broad, and surrounded by volcanic mountains. This country having been lately declared independent, it is to be presumed that its resources hereafter will be more fully developed, and that the sagacious and extraordinary man at the head of its government, will not delay to facilitate its commercial intercourse with other nations; that the absurd restrictions which have characterised the European colonial policy, and particularly that of Spain, will be removed from its trade; and that the executive of the United States will adopt such measures as will secure to our merchants a decided and lasting preference in the commerce of this rich and flourishing country.

On the 21st January of this year, the government of Mexico caused to be published a general provisional tariff, from which are extracted the five principal chapters, relating to commerce, viz.—

Chapter 1st. Organic bases for the formation of the Tariff which is provisionally established.

Art. 3. One duty only shall be levied on account of the public revenue, on the entry of all goods, produce and effects of any nation, which shall be 25 per cent. on the rates embraced by the tariff.

4. Goods, produce, or effects, once entered on arrival or departure, shall pay the duties of the tariff, without return or abatement, on account of any cause or pretext, except that of error in the account or payment.

5. Every vessel of any nation whatsoever shall be admitted into the ports of the Mexican empire, subject to the payment of the duties, and other regulations prescribed in this tariff.

6. Every vessel, anchoring in the ports of the empire, without intending to load or unload any part of merchandise, but only to repair or avoid damage, or to obtain the provisions necessary for her crew, shall be admitted for the time necessary to supply her necessity. If a merchant vessel, she shall be treated as those of the Mexican empire are in the respective ports of each flag, collecting or not with the most exact reciprocity, the tonnage duties, anchorages and other dues, which are paid for the transit or continuance of vessels in free practice or in quarantine.

7. Whatever is not prohibited in this tariff shall be permitted to be unloaded in any qualified port of the Mexican empire.

8. The goods, which necessity or fancy may invent, or those, which are not included in this general tariff, after publication, shall be liable to pay the duty fixed on examination of the administrator, bearing a proper proportion to others specified in this tariff.

10. For the collections upon solids and liquids, the weight and measure of Burgos, current in the empire, shall be alone acknowledged, and in like manner as to money, the effective reals of this empire, and not those which are nominal or imaginary.

There shall be collected on every vessel of all nations, twenty reals per ton, upon the measurement of persons appointed by the government for the purpose. This article shall be observed, until, after obtaining intelligence of what is collected from our vessels in the ports of other nations, the reciprocity shall be established, which is spoken of in the 6th article.

Chapter 2d. Respecting the goods, whose valuation or measurement remains to be ascertained by the inspectors, as not being comprehended in this tariff.

The effects, comprehended in the nine following articles, shall be subject to the measurement to be made by the inspector, with the previous knowledge of the administrator, by the same order, contained in the regulation of '78, charging the same duty of 25 per cent. upon the same measurement.

1. Every sort of drugs, herbs, roots, barks, seeds, and other things for medicine, dying and colours, and other effects analogous to this article.

2. Manufactures, household goods, and other utensils, consisting only of wood, whalebone, shell, ivory, pearl, &c. or in parts, mixed, and ornaments of those or similar materials.

3. Mercury or hardware, fine or ordinary.

4. Manufactures of crystal or glass, of precious stones, minerals or porcelain, common stone or earth.

5. Common metals, raw and worked, or manufactured.

6. Also those which are precious, of gold, silver, &c. in ingots, or worked with stones or without them, and precious stones unmounted.

7. Common wood for ship or house building, or for other uses.

8. Also fine, for cabinet work or turners.

9. Also precious stones for dies, and minor things of the vegetable class.

Chapter 3d. Respecting the prohibition of the entry of produce and goods.

Art. 1. The entry of tobacco in the leaf, from any power, is absolutely prohi-

bited ; and it shall be permitted only to what is manufactured, rapee and othes sorts of sauff, collecting two dollars upon every pound imported.

2. The entry of raw cotton, coming from any place whatever, is prohibited.

3. As to the prohibition of provisions, no change shall take place until the determination of congress.

4. Manufactured wax.

5. Vermicelli.

6. Galloon work, broad lace, point, blond of metal or a mixture of it, of span-gles, or woven.

7. Cotton thread No. 60, or which takes not less than 70 skeins to the pound.

8. Cotton ribbon, white or coloured.

The following articles shall be free from duty :

Mercury; all instruments which are used in the sciences, and in surgery ; all sorts machines useful for agriculture, mining, and the arts ; all printed books, not prohibited as contrary to religion and good manners ; prints, single or bound, respecting the principles of painting, sculpture and architecture, and the models or designs of the various arts which serve for instruction, with a prohibition of those contrary to religion or good manners ; music, printed or written ; the seeds of exotic plants, or plants with roots ; raw flax, hatchelled or not hatchelled ; and live animals.

Chapter 4. Respecting qualified Ports.

Art. 1. There shall be admitted therein, all vessels of every nation whatever, with goods, produce and effects, to whomsoever belonging, upon the payment of the duties designated in this tariff.

2. Whenever any vessel casts anchor, the supercargo shall be made acquainted with the laws which are to regulate his unlading, and the duties he is to pay ; and if he shall see fit, the goods shall be immediately landed, under the formalities of the law.

3. The first shall be, to present a triplicate manifest of all that she contains, expressing all the kinds of goods, and to which operation he shall proceed within the precise term of 48 hours ; without permitting any vessel to remain in the port under any pretext, if the supercargo shall not consent to discharge the cargo.

4. When the vessel shall have cast anchor, the administrator of the custom-house shall place on board her the guard he may think necessary, that no part of the goods may be landed, until, on the requisite permit having been granted, they shall be discharged and carried to the custom-house, under the usual formalities.

5. Whatsoever goods, produce or effects, are not comprehended in the manifests, shall be irrevocably adjudged to the penalty of confiscation, and of their proceeds, deducting the national duties and costs. ; 15 per cent. shall be applied to the judge ; 40 per cent. to the person making the seizure ; and the remainder shall be carried to the account of the public revenue, in case of there being no informer ; but if there be one, he shall have the whole, after deducting the national duties, the costs, 10 per cent. for the judge, and 25 per cent. for the person making the seizure.

7. All the expenses and operations of discharging, up to the stores of the custom-house, shall be on account of the owners of the cargo.

8. If at the time of examining the goods, declared in the manifest by the inspectors, it shall be found, that they are different in kind or changed, they shall incur confiscation, and if there be an excess in number, weight, or measure, the excess shall be confiscated, if it exceed ten per cent., but if it shall not, it shall pay double duties upon that.

9. When the quality or bulk of the dunnage of all sorts would render it inconvenient to the persons interested, and to the public revenue, to carry it to the stores of the custom-house, the administrator may permit its dispatch on the wharf, the inspectors and commandant of the guard being present at this proceeding ; but in no case shall this indulgence be extended to goods of linen, cotton, silk, wool, mercery, &c.

10. If the administrator or commandant of the guard shall discover presump-

tion of fraud, in the articles to be dispatched on the wharf, they shall order them to be carried to the custom-house, without admitting the excuse or pretext that the persons interested will be subject to loss and damage in consequence thereof.

11. The receipt of the duties, shall be at the treasury of the custom-house, with the usual formalities.

A duty of eight per cent. is exacted on the invoice at the Castle St. Juan de Uloa for passing into port. The exportation of specie is strictly prohibited.

For weights and measures, and moneys, vide Cadiz.

MOREA,

Formerly called Peloponnesus, is a peninsula joined to the rest of Greece by an isthmus, called the Isthmus of Corinth, and surrounded by islands called the islands of the Archipelago. First, respecting the islands situate on the Mediterranean side. Zante, Cephalonia, and Corfu, are the principal of the seven constituting the Ionian republic, which formerly belonged to Venice, but now form an anomalous kind of state under the protection of Great Britain.

The population of the seven Ionian islands has been recently estimated at 200,000 persons, of a mixed race, but principally Greeks, men of genius, enterprise, and commercial propensities: of these, Corfu may have 70,000; Cephalonia, 60,000; and Zante, 40,000. The exports of these islands consist chiefly of oil, wine, and currants. Of the last mentioned article, Zante alone, exports (chiefly to England,) 7,000,000lbs. of oil, 60,000 barrels and 4000 casks of wine. Cephalonia exports nearly similar quantities of these articles. Zante is the most fertile, as well as the most beautiful, of these islands; but Corfu is the principal depôt and mart of the other islands, as well as of some places situate in the neighbouring peninsula.

With respect to the Morea itself, it is sufficient to observe, that in all parts of the Peninsula, provisions are plentiful and cheap, and money of more value than in any other part of the Mediterranean: in consequence of which, there is no good market for any considerable quantity of manufactured goods. Lead and tin are always in demand, but only in small quantities at any one port. Ships, that take cargoes of fish to Venice or Trieste, where there is always a great consumption, may take in ballast and run down the Gulf of Venice and load immediately in the Morea, instead of waiting in those ports for a cargo. It would be a difficult task to attempt giving a particular description of the various articles the produce of the Morea, they being so very numerous; currants, fustic, cotton, valonia for tanning, and olive oil, are among the principal; beside these, are to be reckoned some sorts of fruits, gums, drugs, madder, &c. &c.

Currants, it has been observed, are a considerable article of export from the Morea; Petrasso is one of the best ports to ship them from; the fruit is rather larger and more free from sand or gravel, than that of either Zante or Corfu.—They are shipped in various sized casks, from twenty hundred weight to fifty pounds. The quantity shipped must weigh above five hundred weight net, otherwise, they are liable to seizure. The casks are always included in the weight of the fruit, and paid for as such; the Morea currants have the preference in most countries, except in England, where the Zante currants are more merchantable.

Fustic also is chiefly shipped from Petrasso, as more of it grows in the Morea than in any other part; it is very convenient to stow amongst a dry cask cargo, where it is stowed to great advantage for the ship, and it may be cut up into convenient lengths without injuring the wood.

Valonia is a kind of acorn of a bright stone colour, which it always preserves while it is kept dry; any kind of dampness injures it, as it then turns black, and loses both its strength and value. It is chiefly used by tanners. The first cost is usually from three pounds ten shillings to five pounds sterling per ton; though it is a very bulky article, it is always bought and sold by weight; a ship can only take a small proportion of her register tonnage, in consequence, the freight of valonia per ton is always very high.

Proceeding now according to the projected course round the Archipelago, the peninsula of Greece may be considered as commencing at the head of the Gulf of Salonica to the east, and at that of Aulona on the west, and as has been observed, is connected with the sub-peninsula of the Morea by the narrow isthmus of Corinth.

The exports from Salonica are grain (wheat, barley, and Indian corn,) cotton, wool, tobacco and timber. The average exportation of wheat per annum, is 1,000,000 the kilos, the kilo being about 55lbs. ; of cotton, about 110,000 bales ; of tobacco, about 30,000 bales, each bale containing about 275 lbs. ; of wool, about 1,000,000 lbs. Timber is exported to Malta and other parts of the Mediterranean.

The ordinary imports are sugar, coffee, dye woods, indigo, cochineal, muslins, printed calicoes, iron, lead, tin, watches, &c.

Those from the gulf of Corinth, are principally grain ; as wheat, barley, oats, peas, and maize, some cotton, wool, honey, and cheese. Of wheat alone, which is indeed the principal article of export, about 250,000 kilos.

NAPLES,

Situated on the bay of that name, is well placed for commerce, and has all the luxuries of life in great profusion. Lat. 40° 51' N. Long. 14° 11' E.

The chief articles of manufacture are silk stockings, soap, boxes, and other ornamental articles made from lava, marble, minerals, and fossils of most kinds. The other productions are brimstone, fruits, wines, and above all Gallipoli oil.

The imports are colonial produce, linens, and salt fish of every sort, kind, and quality.

Most articles of export are purchased for ready money. On most import articles, 2 to 4 months credit is generally given ; and on British manufactured goods, even longer.

The charges on sales, including commissions, are generally from six to eight per cent.

Besides the duties specified in the tariff, an additional duty is levied at the custom-house at Naples on each package,

Amounting from 6 to 25 ducats	11 grains
26 to 50	22
51 to 100	33
101 and upwards	44

And a duty of seal on each package exported, containing a duty of more than 10 carlines.

Goods deposited in the public warehouse pay for 1 month, per cantajo, 11 grains.

For 2 months,	17 grains
For 3 months,	23 grains
For 4 months,	28 grains
And for every subsequent month,	11 grains.
On re-exportation, each bale pays	22 grains.

If the goods are re-opened, the duty, per cantajo, will be 10 grains. The importation of fire and sidearms, &c. are prohibited.

For weights and measures, vide page 36.

For moneys, &c. vide pages 54, 63.

NEW-YORK,

The chief seaport in the state of New-York. It is situated on the Island of Manhattan, at the junction of the Hudson and East rivers. It has an excellent harbour, and may be called the commercial metropolis of the United States. Its imports and exports, the productions of all parts of the world. Lat. 40° 42' N. Long. 74° 00' W.

For port regulations, vide page 121.

There is a Marine Court in this city for the decision of all disputes between mariners and the master or owner—vide page 129.

Vessels are liable for all repairs while in this port—vide page 115.

For hospital money to be paid here, vide page 132.

Pilot laws, vide page	177.
Quarantine,	212.
Passenger,	241.
Inspection,	20.
Local regulations of custom-house,	121 and 263.

Rates of Wharfage.

It shall be lawful for the owners of wharves in the city of New-York, to ask and receive, to their own use, the following rates of wharfage, for all ships and vessels, using their wharves respectively, that is to say,

For every vessel under the burthen of 50 tons, at the rate of	50 cents per day.
50 tons and under 100 do.	62½ do.
100 tons and under 150 do.	75 do.
150 tons and under 200 do.	87½ do.
200 tons and under 250 do.	100 do.
250 tons and under 300 do.	112½ do.

And 12½ cents per day, for every 50 tons above 300 tons, in addition to the rate last mentioned.

Whenever any ship or other vessel shall be brought to any dock or wharf to repair or careen, and it is found necessary to sling or erect any stage or stages on the sides of the said vessel, for the more convenient caulking or repairing the same, or that any boats, scows, or floating stages, are brought alongside said vessel, for the purpose of caulking, repairing, or careening, as aforesaid, it shall and may be lawful for the owner or owners of said wharf to ask, demand, take, and receive thirty-three and one-third per cent. in addition to the sum the said vessel is liable and compelled to pay for her wharfage, as aforesaid.

Every ship or vessel, which shall make fast to any other ship or vessel, that shall be fastened to any wharf, and being so fastened, shall load, unload, or careen, shall pay the one-half of the rate of wharfage such ship or vessel would have been liable to pay if fastened to such wharf, and there loaded, unloaded, or careened.

Coasting vessels, owned in the states of New-York, New-Jersey, or Connecticut, may lie at the public docks by the year, upon the following conditions, viz.—

If they first arrive between the 1st of May and 31st of July,	50 cents per ton.
if between the 1st of August and 31st of Oct.	40 do.
if between the 1st of Nov. and 31st of January,	25 do.
if between the 1st of Feb. and 30th of April,	12½ do.

and all vessels, of not more than 5 tons burthen, pay two dollars on their first coming to at a public dock, which gives them the right of wharfage there until the 1st of May then next ensuing.

A law of the corporation requires vessels which lie at the public dock, by the year, to move their situation once in 21 days, except between the 20th December and March, in each year, or to pay, in addition to the above rates, for every day beyond that term,

if under 20 tons,	5 cents
if 20 tons and under 40 tons,	10 cents
if 40 tons and under 60 tons,	15 cents
if 60 tons and under 100 tons,	20 cents

Other coasting vessels pay to the lessee of the public docks the same wharfage as to owners of other wharves above mentioned.

A penalty of ten dollars is exacted for careening a vessel in any of the corporation docks, and ten dollars per day while careening.

Vessels with lime on board are not permitted to lie at the public docks, except while discharging, or whilst the same is bona fide for sale.

Vessels with charcoal on board cannot unload or expose it for sale at any slips in front of the markets, under the penalty of ten dollars.

To bring a wreck into any of the public docks, subjects the person to a penalty of 25 dollars, and 10 dollars per day, whilst lying there. To throw any dirt into the same, to a penalty of 5 dollars.

To kindle a fire on the wharf, except for the purpose of boiling tar, 10 dollars.

RATES OF COMMISSIONS,

Recommended for general adoption, and allowed by the New-York Chamber of Commerce, when no agreement subsists to the contrary, established at a stated meeting on the 2d of March, 1819.

ON FOREIGN BUSINESS.

	Per cent.		Per cent.
On the sale of merchandise	5	insured,	2½
or purchase of stocks	1	When the premium exceeds 10 per cent.—on the amount of premium,	5
specie	½	On collecting dividends on stock	½
On the purchase and shipment of merchandise, with funds in hand—on the aggregate amount of costs and charges,	2½	delayed or litigated accounts	5
On drawing or endorsing bills in all cases,	2½	On adjusting and collecting insurance losses,	2½
On vessels, selling or purchasing	2½	On receiving and paying moneys, from which no other commission is derived,	1
procuring freight	5	On remittances in bills, in all cases,	½
Collecting freight on general average	2½	On landing and re-shipping goods, from vessels in distress—on the value,	2½
Outfits or disbursements, with funds in hand	2½	On receiving and forwarding goods, entered at the custom-house—on the value,	1
On effecting marine insurance, in all cases :		And 2½ per cent. on responsibilities incurred.	
When the premium does not exceed 10 per cent.—on the amount			

ON INLAND BUSINESS.

	Per cent.		Per cent.
On the sale of merchandise	2½	On effecting marine insurance, in all cases :	
On the purchase and shipment of merchandise, or accepting for purchases, without funds or property in hand,	2	When the premium does not exceed 10 per cent.—on the amount insured,	½
On the sale or purchase of stocks, specie,	½	When the premium exceeds 10 per cent.—on the amount of premium,	5
On the sale of bills of exchange with endorsement,	½	On adjusting and collecting insurance losses,	2½
On the sale of bank notes or drafts not current,	½	On collecting dividends on stocks,	½
On selling or endorsing bills of exchange	2½	On collecting bills, and paying over the amount, or receiving and paying moneys from which no other commission is derived,	1
On vessels—selling or purchasing,	2½	On receiving and forwarding goods—on the value,	½
On do.—chartering to proceed to other ports to load,	2½	On the same when entered for duty on debenture,	1
On do.—procuring or collecting freight	2½	On remittances in bills, in all cases,	½
On do.—outfits or disbursements,	2½		
On do.—collecting general average,	2½		

The above commissions to be exclusive of the guarantee of debts for sales on credit, storage, brokerage, and every other charge actually incurred. The risk of loss by fire, unless insurance be ordered, and of robbery, theft, and other unavoidable occurrences, if the usual care be taken to secure the property, is in all cases to be borne by the proprietor of the goods. When bills are remitted for collection, and are returned under protest, for non-acceptance or non-payment, the same commission to be charged as though they were duly honoured. On consignments of merchandise, withdrawn or re-shipped—full commission to be charged to the extent of advances or responsibilities incurred, and half commission on the residue of the value.

RATES OF STORAGE,

Chargeable per month, as established by the New-York Chamber of Commerce, at a stated meeting held on the 2d of March, 1819.

Cents.		Cents.	
Almonds in frails or other pack.	cwt. 6	Leather, per side	1
Alum, in casks or bags, per ton	40	Lead, pig or sheet, per ton	20
Ashes, pot and pearl, bbl.	8	— dry or ground in oil, per ton	40
Beef, bbl.	6	Liquors, in puns. of 120 gals. per pun.	30
Bottles, quart, in mats, cr. or hamp. gr.	8	— in quarter casks	6½
Bark, quercitron, in casks, ton	60	— in pipes or other cks. 120 g.	30
Bagging, cotton, loose or in bales, pc.	3	— bottled, in cks. or bxs. dz. b.	1½
Butter, in firkins of 60 lbs. per firkin	2	Molasses, per hhd. of 110 gals. (other casks in proportion)	30
Brandy, see liquors.		Nails, in casks, per cwt.	2
Candles, in boxes of 50 or 60 lbs. box	2	Oil, in hhd. or other casks, 110 gals.	30
Chocolate, in boxes of 50 lbs. box.	2½	— in chests of 30 flasks, per chest	4
Cocoa, in bags, per cwt.	3	— bottled in boxes or baskets, doz.	1½
— in casks, do.	3	Paints, in casks or kegs, ton	40
Coffee, in casks, do.	2½	Pepper, in bags, per cwt.	2½
— in bags, do.	2	Pimento, in casks or bags, cwt.	2½
Copperas, in casks, per ton	40	Pork, per bbl.	6
Copper, in pigs, do.	20	Porter, see liquors.	
— in sheets or bolts, ton	30	Rags, in bales, per cwt.	6
— braziers' bottoms, ton	75	Raisins, Malaga, in casks,	3
Cordage, per ton	50	— do. in boxes	1
Cassia, in mats or boxes, per cwt.	10	— in other packages, per cwt.	2
Cotton, American, in sq. bales, 300 lbs. 12½		Rice, in tierces, per tierce	12
— do. in round bales, do.	16	— in half do. per half do.	8
— W. India, in proportion to round.		Rum, see liquors.	
— E. India, in bales, per 300 lbs.	9	Saltpetre, in bags, per cwt.	2
Cheese, casks, boxes or loose, cwt.	3	— in casks, per cwt.	2½
Duck, heavy, per bolt,	1½	Salt, in bags or bulk, per bushel	1½
— Ravens or Russia sheeting, pc.	½	Shot, in casks, per ton	37
Dry goods, in boxes or bales, 40 cu. ft.	40	Soap, in boxes of 50 to 60 lbs.	2
Earthenware, in crates of 25 to 30 ft.	15	Steel, in bars or bundles, per ton	30
— in hhd. of 40 to 50 ft.	30	— in boxes or tubs, per ton	40
Fish, pickled, per bbl.	6	Sugar, raw, in bags or boxes, per cwt.	2
— dry, in casks or boxes, cwt.	4	— do. in casks, per cwt.	2½
— in bulk, per cwt.	2½	— refined, in casks or other pack.	3
Figs, in frails, boxes, or drums, cwt.	2½	Tallow, in casks or seroons, cwt.	2
Flax, per ton	60	Tea, bohea, in whole chests	15
Flaxseed, or other dry articles, in tierces of 7 bushels, per tierce	10	— do. in half chests	8
Flour, or other dry articles in bbls.	4	— green or black, in qr. chests	4½
Grain, in bulk, per bushel	1	— in boxes in proportion to qr. chests.	
Gln, see liquors.		Tin, block, per ton	20
GINGER, in bags, per cwt.	2	— in boxes of the usual size, per box	1½
Glass, window, in boxes of 50 ft.	1½	Tobacco, in hhd. per hhd.	37½
Hardware, in casks of 40 cubic ft.	40	— in bales or seroons, per cwt.	4
Hemp, per ton	75	— manufac. in kegs of 100 lbs.	2
Hides, dried or salted, per hide	1½	Wines, see liquors.	
Indigo, in seroons or boxes, per cwt.	4	Woods, for dying, under cover, ton	50
Iron, in bars or bolts, per ton	20	— do. in yards	25
— in hoops, sheets, or nail rods, ton	30	Whiting, in hhd. per ton	37½
Lard, in firkins of 60 lbs.	2		

On articles on which the rate is fixed by weight, it is understood to be on the gross weight, and on liquors, oils, &c. on which the rate refers to gallons, it is understood to be on the whole capacity of the casks, whether full or not. The proprietor of goods to be at the expense of putting them in store, stowing away, and turning out of store. All goods taken on storage to be subject to one month's storage; if taken out within 15 days after the expiration of the month, to pay half a month's storage; if after 15 days, a whole month's storage.

Fees for Measuring Timber.

For short ship timber,	25 cents per ton of 40 cubic feet.
For square timber,	14 do. per ton cubic measure.
For boards, plank, or scantling,	37½ do. per 1000 superficial feet.

City Measurers.

Salt or grain,	75 cents per 100 bushels.
Lime,	12½ do. per load of 16 bushels.
Charcoal,	1 do. per bushel.
Sea Coal,	25 do. per chaldron.

Weighmaster's Fees.

☐ To be paid half by the Buyer and half by the Seller.

Hemp, flax, and hides,	3 cents per cwt.
Brazilletto wood,	4 do. do.
Anchors, above 800 wt.	5 do. do.
Do. under 800 wt.	2 do. do.
Cables, above 800 wt.	5 do. do.
Do. under 800 wt.	2 do. do.

All other articles 2 cents per cwt.; but if the amount does not exceed 10 dollars, then 3 cents per cwt.

The weighmaster must make a return of the articles weighed, and mark the weight on each article in legible and durable figures. Penalty for neglect or extortion, 50 dollars. Each weighmaster may demand the expense of removing his scales and weights, provided the same does not exceed one dollar.

Harbour-Master's Fees.

On American vessels, loading or unloading, or making fast to a wharf 1½ cent pr. ton.

Foreign vessels not admitted upon the same terms as Americans—double that rate.

Schrs. and sloops wanting a birth, pay 2 dollars.

For adjusting any difference respecting the birth of any schr. or sloop in the coasting trade, 2 dollars, to be paid by the person in fault.

The fees are payable in 48 hours after arrival, on penalty of paying double the amount.

RATES OF CARTAGE.

Established by the Common Council, March 19, 1821.

	s. d.		s. d.
Ale, or Beer, per hhd.	2 0	Flaxseed, 3 tierces	2 0
— hhd. from 60 to 90 gal.	2 0	Fire-wood, per load	2 0
Alum or Copperas from 12 to 15 cwt.		Flour in bags, 12 per load	2 0
— per hhd.	2 6	— 7 bbls. per load	2 0
— do. from 15 to 20 cwt.	3 0	Gammons or Hams, do.	2 0
— do. over 1 ton,	4 6	Gin, pipe over 100 gals.	3 0
Bar Iron per load	2 0	Hay, in trusses, bundles, or bales, per	
Boards and plank, per load	2 0	— load	2 6
Brandy, pipe over 100 gallons	3 0	— loose, do.	6 0
Bread, 4 tierces	2 0	Heading, or Staves, a load	2 0
Bricks, per load	2 0	Hides, 50 per load	2 6
— handled and piled	2 6	Hemp, in bales or bundles, per load	2 6
Building or Paving Stone, per load,	3 0	— loose, not exceeding 12 cwt.	3 6
Calves, Sheep, and Lambs	2 6	Hoops in bundles	2 0
Cider, Cheese, and Cocoa	2 0	Hoop Poles, per load	2 6
Clay and Sand, 12 bushels	2 0	Hollow Ware, per load	2 6
Coal, half chaldron, load	2 6	Household Furniture	3 6
Cocoa, per load	2 0	Molasses, from 60 to 90 gallons	2 6
Coffee, in bags or bbls.	2 0	— from 90 to 140 gallons	3 0
— above 10 cwt. per hhd.	2 6	Oil, per load of 3 bbls.	2 0
Cordage, small, load	2 0	Oysters, Oyster Shells, and pantiles,	
Cotton, per load of 3 bales	2 0	— per load	2 6
Cut Stone, per load	2 6	Pot Ashes, per load of 3 bbl.	2 0
Dried Fish, loose load	2 6	Paints, common load	2 0
Dye-wood, per load	2 0	Paints, per hhd. from 12 to 15 cwt.	2 6
Earthenware, loose, do.	2 6	— from 15 to 20 cwt.	3 0
European Goods, per load	2 0	— above 20 cwt.	4 6
Flax in bales and bundles, per load	2 6	Pantiles, per load	2 6

	s. d.		s. d.
Pimento, per load	2 0	per hhd. from 12 to 15 cwt.	2 6
Plaster of Paris, ton	4 0	from 15 to 20 cwt.	3 0
Pork, Beef, Tar, Pitch, and Turpen-		above 20 cwt.	4 6
tine, 5 bbls.	2 0	CABLES.	
Rum, per hhd.	3 0	For every cable, whole shot of 5 in-	
Salt, 20 bushels	2 0	ches circumference to 7 inches	5 0
Shingles, long cedar or pine, in bundles	2 0	Do. half shot of like dimensions	2 6
cypress, 2000 (22 inch)	3 0	Do. whole shot of 7 to 10 inches	12 0
Sugar, Havana, 3 boxes	2 0	Do. half shot of like dimensions	6 0
Sugar, from 9 to 15 cwt. per load	2 6	Do. whole shot of 10 and not exceed-	
from 15 to 20 cwt.	3 0	ing 12 inches in circumference	14 0
above 20 cwt.	4 6	Do. whole shot of 12 and not exceed-	
Scantling and other timber, per load	2 0	ing 14 inches in circumference	20 0
Tea, per load	2 6	Do. half shot, of the dimensions of	
Tiles or Slate, per load	2 6	the two last mentioned	10 0
Tobacco, in hhds. from 9 to 15 cwt.		Do. whole shot of 14 and not exceed-	
per hhd.	2 6	ing 15 inches	24 0
from 15 to 20 cwt.	3 0	Do. half shot of like dimensions	12 0
above 20 cwt.	4 6	Do. whole shot of 15 inches	32 0
Wheat, or other grain, per load	2 0	Do. half shot of like dimensions	16 0
Wine, pipe over 100 gals.	3 0	* * Goods, Wares, Merchandise, or	
in 4 qr. casks	3 0	other articles not herein enumerat-	
Whiting, common load	2 0	ed, per load	
			2 0

In all cases where the distance exceeds half a mile, and not two miles, $\frac{1}{2}$ in addition to be allowed.

If a cartman should demand or receive any greater compensation than the above rates, he shall forfeit his license, pay \$5, and shall not be entitled to any compensation. A cartman must carry as much as can be conveniently stowed upon his cart, and as is reasonable for one horse to draw, under the penalty of \$1; but he must not, under the like penalty, carry at one time more than one puncheon, pipe, or hoghead of rum, molasses, sugar, wine, or other liquors, or more than 165 gallons of any liquors in small casks.

RATES OF PORTERAGE.

For any distance, not exceeding half a mile,	12½ cents.
Over half a mile, and not exceeding one mile,	25 do.
And in that proportion for a greater distance.	
For carrying a load upon a handbarrow, for any distance not exceeding	
half a mile,	25 cents.
Over half a mile, and not exceeding one mile,	44 do.
And in that proportion for a greater distance.	

HANDCARTS.

For any distance not exceeding half a mile	18½ cents.
Over half a mile, and not exceeding one mile,	31½ do.
And in that proportion for any greater distance.	

NICE,

A free port in Piedmont, Sardinia. It is well situated for commerce with the interior of that kingdom, Switzerland, Savoy, and Tuscany. Lat. 43° 42' N. Long. 7° 17' E.

It imports coffee, sugar, pepper, nankins, fish, and manufactured and other goods.

Its exports are all silks, fruit, fish, rice, hemp, anchovies, and cordials.

Nice has the following advantages, viz.

1st. That the articles suitable for the consumption of the place, and the interior, sell for better prices, than at any of the neighbouring ports.

2d. That all kinds of manufactured goods, as well as raw materials and productions, may be imported, exported, and transhipped, at very trifling expenses.

3d. That the custom-house regulations grant every facility to all commercial operations, both afloat and on shore.

4th. That it has a constant intercourse with Genoa, Marseilles, and Leghorn; and that whenever it may be found advantageous to send any goods to France, they can be transhipped by French vessels, by which means the difference, or savings in the import duty, will more than defray the expenses, freight and insurance included.

5th. That the charges on business, vessels' repairs and disbursements, are less here than at any other port in the vicinity.

6th. That sales are made without any extra tares, weights, or allowances, which are usually given at Genoa and Leghorn.

7th. That the quarantine regulations are the same as at Marseilles.

8th. All goods introduced via Nice, for the consumption of Piedmont and Savoy, pay one-third less duties than those via Genoa, although in the same kingdom; which gives a decided preference to the port of Nice over that of Genoa.

Vessels drawing more than 12 feet of water should go first into Villa Franca, (or Ville-Franche) $\frac{1}{2}$ mile east of this place. The entrance into Villa Franca is spacious and clear of rocks and shoals, and has a light-house on the starboard hand; and the anchorage at the bottom of the bay is very good.

Captains and supercargoes should have ample and fair samples of their cargoes ready to be shown, on arrival, to the buyers, and to be sent to the interior and neighbouring ports.

American vessels may go from hence in ballast to Marseilles, where they can be loaded, repaired, &c. &c. without being subject to pay any tonnage duty whatever.

NOVA SCOTIA.

All the British possessions in North America are comprehended under this head. The regulations are few and comprehensive. The British government has decreed, that no goods shall be imported from the United States into Lower Canada, Nova Scotia, New Brunswick, Cape Breton, St. Johns, and Newfoundland, upon pain of forfeiture, except in case of public distress, and then only in British vessels: while on our part it has been enacted, that no British vessel, from those places, shall be admitted to enter any port of the United States; and any British vessel sailing from the United States, with American produce on board, must give bonds not to land it in any of those provinces. To prevent the carrying on the West India trade through those provinces, it has been enacted, that no goods, &c. shall be imported from any of those provinces, except they be wholly of the growth or manufacture of those provinces.

Fishing vessels of the United States must not take, cure, or dry fish within 3 marine miles of any coast, bay, creek, or harbour, in the British settlements, except on that part of Newfoundland from Cape Ray to the Rameau islands, on the western and northern coast of Newfoundland from Cape Ray to the Quirpon islands, on the shores of the Magdalen islands, on the south coast of Labrador, from Mount Joly to the Straits of Belle Isle, and thence northwardly indefinitely, so long as the same remains unsettled.

They may, however, enter any of the ports in these provinces to repair damage, for shelter, wood or water, subject to the above restrictions.

Plaster may be brought from the North American British settlements direct.

PERU.

This country, the government of which has not yet become settled, is bounded on the south by Chili, and on the north by the river Guayaquil. It has not a single harbour in the strict sense of the word, the anchorage being in bays or roads more or less open and insecure. Callao, the port of Lima, affords good anchorage in the road before the town, and is the great emporium of the trade of Peru.

Lat. $12^{\circ} 02' S.$, long. $77^{\circ} 04' W.$

Flour has been lately shipped in considerable quantities to Valparaiso, in Chili, and has brought good prices. Tobacco, particularly Kentucky, is a good article of import. In the trade with this country, while the government is in its present state, foreigners must expect to meet with much imposition and injustice from the public authorities as well as from individuals.

For weights and measures, and moneys, vide Cadiz.

Commercial Regulations in Peru.

A free entry is allowed in the ports of Callao and Huanchaco, to all friendly or neutral ships coming from Europe, Asia, Africa, or America, under the following conditions:—

Within ten hours after anchoring in either of the ports of Callao or Huanchaco, a copy of the manifest of the whole cargo, in the language of the nation to which the captain, supercargo, or vessel belongs, and signed by the captain or supercargo, be presented and translated by the government interpreter, and within 48 hours delivered in at the custom-house. The cargo is to be discharged immediately, or otherwise the vessel must leave the port within six days.

Within the abovementioned 48 hours, the captain or supercargo must name a consignee, who must be a citizen of Peru, [or he may be a citizen of Buenos Ayres, Chili, or Colombia.]

In discharging, &c. custom-house officers will be sent on board, and foreign vessels will pay for anchorage four rials per ton, national vessels two rials. The business at the custom-house must be transacted by the consignee, as he is responsible for the payment of the duties.

The duty on goods imported in foreign vessels is 20 per cent. on a valuation at the current market prices. These prices shall be named on the first day of every month, by two merchants and the vista of the custom-house. The duty on goods imported in vessels belonging to Chili, Buenos Ayres or Colombia, shall be 18 per cent., and on importations in Peruvian vessels 16 per cent., on valuations as above specified. Ready made clothes, leather, shoes, boots, chairs, sofas, tables, bureaus, calashes, coaches, saddles, and other articles of saddlery, lamps, horse-shoes, wax candles, tallow, do. and sperm do., and snuff will pay double duties. Quicksilver, and all implements of husbandry and for working mines, all military stores, excepting powder, all books, maps, scientific instruments, printing presses, and all machines, are free of duty. Coined silver shall pay 5 per cent. export duty, and gold two per cent. The exportation of uncoined, as also of wrought gold and silver, is prohibited.

Export duties on the other productions of Peru, will be 4 per cent. in foreign vessels, 3½ per cent. in Chilian, Buenos Ayrean, and Columbian vessels, and 3 per cent. in those of Peru.

Export duties shall be paid in cash, import duties by bonds at 40, 120 and 180 days.

Every captain or supercargo may export the goods he has imported, and will receive the amount of duties he has paid, excepting one per cent. on the valuation.

If on examination of the goods imported, there should be more than is specified in the manifest or invoice, and the excess be small, double duties shall be paid on such excess; if the excess be considerable, the cargo will be confiscated.

Consignees are not allowed to sell by retail in their own stores.

The coasting trade, for the present, may be carried on by foreign vessels, with licenses, provided one half the crew be natives of Peru.

Should any foreign goods be introduced into any ports other than Callao and Huanchaco, vessel and cargo will be confiscated. The same penalty will be incurred by those who smuggle in any way.

Native productions may be exported from any port. The duties being paid at these ports, vessels may enter other ports.

Payta, Huancho, and Pisco, are established as ports of domestic trade, but foreign articles cannot be introduced therein. No subsequent tariff shall take place without 8 months notice.

PETERSBURG,

Is built on both banks of the Neva, and is the centre and emporium of the commercial concerns of Russia, through however many channels conveyed, and these are necessarily numerous in this vast and diversified empire. There are no less than twelve principal ports, besides inferior ones, which contribute to the commerce of this capital, viz:—Abo, Archangel, Arensburg, Cronstadt, Liebau, Odessa, (a free port,) Pernau, Revel, Riga, Taganrog, Theodosia, and Wyburg.

The exports from Russia are hemp, flax, tallow, furs, iron, linseed, oil, leather, cordage, feathers, &c. For hemp, Riga is the best place in the Baltic, and Petersburg the next; that which is exported from the other ports, is inferior in quality and proportionably dearer. For pass hemp and tow, Liebau is a good place; Riga is also the chief port for ashes and flax, the sorting of the latter being very strictly attended to there; the quality from Pernau, is equally good, and the sorting even better, but the quality exported bears no comparison to that from Riga. Tallow is regularly cheaper at Petersburg than in the other parts of the Baltic; it is also the best port in Russia for iron. For linseed, Riga and Pernau are the best places: timber is mostly exported from Archangel, Riga, Pernau, and Wyburg; oak timber, from Riga only. Archangel is the best place for tar; it was formerly the principal port in the Russian dominions, and it still exports in prodigious quantities, tar, deals, pitch, hemp, tallow, iron, and mats, with a less considerable quantity of linseed and leather.

In ordering goods from Archangel, it is usual to remit the amount to a house at Petersburg, which sends the money in specie to Archangel by post. Of late, a bank has been established at Petersburg under imperial authority, which promises to confer great facilities on commercial negotiations, and transmissions of payment, being both a discount and deposit establishment. The principal imports are coffee, sugar, and other colonial produce, indigo, dye-woods, spices, cotton, twist, salt, &c.

The following regulations for the importation of foreign goods, are strictly enforced.

All goods imported must be accompanied by the following documents:—

1st. The declaration of the captain according to the form ordered by the custom-house.

2d. An attestation from the Russian consul, and where there is no consul, from the custom-house, of the place, of the quantity and quality of the goods, and a declaration that they are not the produce, manufacture, or property of an enemy's country.

3d. Bills of lading of all goods in which the weight, measure, or quantity, of each package, must be specified. In case the bills of lading are not exactly after this regulation, the goods pay the double duty as a fine: in case more be found than specified in the bill of lading, the surplus is confiscated; if less be found, the duty must be paid on the quantity specified; of wine, it is not sufficient to specify the number of pipes and hogsheads only, but also their contents in gallons, &c.; of lemons, the number in each box must be specified; of manufactured goods, the measure of each piece must be specified, and the number of pieces in each bale.

A bill of health from the resident Consul is also necessary.

Import and export duties are rated in silver, but paid in bank assignats at a certain agio, fixed in the beginning of every year, by which the whole payments of that year are regulated.

The ports into which the importation of foreign goods is permitted into Russia, are of three kinds.

1. Those of entrepôt or for bonding goods, where all goods (not prohibited,) may either be imported or brought to from other custom-houses for the payment of duties. In these places only, goods may be bonded according to the rights of the different classes of merchants.

The bonding ports and land custom-houses, are the following, viz:—St. Petersburg, Archangel, Riga, Odessa, Theodosia, Taganroy, Moscow, Wilna, Kioff, Berdichief.

N. B. Goods not susceptible of infection only, are permitted to be imported at Taganroy.

2. Ports of declaration, into which goods not prohibited, or restrained to particular ports, may be imported, either for the payment of the duty, or for the purpose of being forwarded to the bonding custom-house. Ports of the second class, are Revel, Liebau, Polanguen, Kowno, Brest-Litowski, Oustilorjesk, Rat-zivilloff, Doubóssari, and Eupatoria.

When vessels are detained by ice at Revel or Liebau, the duties, on such goods as cannot be transported by land in winter, may be there collected.

N. B. The duty cannot be paid at these ports but upon certain goods; the rest must be sent to the ports of entrepôt.

3. Ports of the third class, are those where certain goods specified, and no others, may be imported; not even for transportation to the ports of the first or second class.

The following ports belong to this class:—Onega, Kola, Mezen, Narva, Hapsal, Kund, Pernau, Arensburg, Windau, Gorajdovsk, Yourbourg, Grodno, Khorochchensk, Zechanovetsk, Goniondk, Nouréz, Preborovsk, Gouciatine, Drouchkopolsk, Volotchisk, Isakovetz, Mogilew, Majah, Parkausk, Nicoloeff, Kherson, Ovidiopal, Balaklava, Genikale, Kertch, Bougas, and Marioupal.

The exportation of goods, not prohibited, from Russia is permitted by every port. All goods imported into Russia, except those belonging to the captain, or the crew of the vessel, must be accompanied by bills of lading, in which must be mentioned,

1st. The names of the shipper and consignees.

2d. The place where the goods were shipped, and where they are to be landed.

3d. The quality of the goods of each kind in parcels collectively, as cotton, manufactures, woollens, silks, cutlery, delf, ware, sugar, coffee, &c.

4. The quantity of each class of goods may be specified by gross or net weight, either of each separately, or of different parts collectively, as F. I. 100 casks raw sugar, weighing — gross or net weight; 50 chests of plums, weighing — gross or net weight; 200 crates of delf-ware, weighing — gross or net weight; 20 parcels of cloth, weighing — gross or net weight. The quantity of goods of different qualities as bright smiths work, cutlery, gallantry ware, and the like, must be specified each parcel separately, either by gross or net weight.

5. The captain and the vessel's name, and the freight.

Liquid goods paying duty by measure, must contain in the bill of lading, the measure, either separately or collectively. This is however not required with goods whereof the vessel has a standard measure, as pipes, hogshheads, ankers, &c.

Liquid goods imported in bottles and phials, and packed in chests, barrels, &c. must, in the bills of lading, be specified as to the number of barrels with the number of bottles collectively. Goods whereon the import duty is payable per barrel, require no specification of weight or measure.

All goods imported in their raw state, as salt, chalk, alabaster, gypsum, marble, &c. not packed in any kind of vessels, but merely laden loose, require no specification of the weight in the bill of lading.

All bills of lading not conformable to the above regulations, subject the goods to an additional duty of ten per cent. Goods may be entered for re-exportation to any other country; if so entitled by bills of lading, they are then subject to no duty, and are warehoused in government's warehouses, until the time they are re-exported, which, however, must be within three months, or else the duty must be paid.

Also, goods prohibited may be entered for re-exportation, if so entitled by bill of lading; these, however, are liable to a duty of one R. silver per lb., payable at the time of re-exportation, which must not exceed three months, or else the goods are seized.

Should a vessel arrive so late in the autumn as to prevent a re-exportation of the goods in the time prefixed, then the goods are warehoused in government's warehouses during the winter, which must be re-shipped in the spring by the first sailing vessel.

If it should be discovered that double bills of lading were signed on goods thus

entered for re-exportation, and that they really were destined to the port where arrived, then all the goods (except those duty free) will be seized and a penalty levied of five times the amount of the duty; of those liable to a duty, twice the value of the goods prohibited, and ten per cent. of the value of those duty free.

By a tariff established by a Ukase, signed March 12th, 1822, travellers are permitted to bring in, free of duty, their clothing, linen, stockings, and shoes, already worn, and the chests, trunks, valises, &c. containing their baggage; gold or silver watches, snuff-boxes, buckles, swords, pistols, &c.; but if they have more than two of these latter articles, they are subject to duty.

Declarations or entries must be made at the custom-houses, stating the price of all goods subject to ad valorem duties—stating the price of each kind of goods separately.

No goods, but those paying a duty ad valorem, should be mentioned in these declarations.

These declarations must be signed, and the price written, by the proprietor of the goods, or his agent, and presented personally to the chamber of customs.

If the price of the goods in the declaration is suspected to be less than their current value, the goods may be taken by the custom-house officers, they paying to the owner the estimated price, and ten per cent. in addition.

Merchants may demand the real tare on imported dry goods only; on the others, the legal tare is conclusive.

Cotton, linen, wool, and silk goods, are weighed in their envelopes, and no tare is allowed for the same.

Tare on Imports.—Moist Goods.

Anchovies, capers, salted or preserved fruits and olives, in glass or earthen vessels	40 per cent.
The same articles, except olives, in wooden vessels	30
Olives in wooden vessels	20
Mushrooms in brine, oil, or vinegar,	40
Colours	
Nitric acid, or spirits of nitre, in wooden or earthen vessels	40
Sulphuric acid, in flasks or earthen vessels	40
Olive oil, in casks	17
_____ of Italy or Provence, in flasks	20
_____ other kinds, in flasks or earthen vessels	40
Oil for painters, in barrels	13
Oil of turpentine, in casks or wooden vessels	17
Liquorice, in casks	13
Fish, salted, in flasks or wooden vessels	30
Gums, liquid, and other liquid medicines, in casks or chests	12
All other liquids, in casks or wooden vessels	17
_____ in earthen and glass vessels	20

Tare on Dry Goods imported.

Cotton, spun, in bales	6 per cent.
_____ in casks or chests	15
Rosin, do.	17
Camel's hair, spun, not twisted, in do.	10
_____ twisted, in do.	25
Alum, Swedish or English, in do.	8
Colours, white lead, (dry) minium	8
_____ cochineal, for each sack weighing from 4 to 7 pounds	2 livres.
_____ from 2 to 3½ do.	1
Indigo, in seroons of leather, weighing from 5½ to 7 pounds	34
_____ in half do. weighing from 2½ to 4 do.	20
_____ of Guatimala, in casks without envelopes, or in chests lined and hooped	20 per cent.
Iron wire, in barrels	8
Marcassite and bismuth	6
Pewter, in rods or barrels	6
Mercury, in leather bottles	9
Zinc, in barrels	6
Table utensils of delf ware, in casks	20
_____ in baskets	12

Pot and pearl ashes, in barrels	12 per cent.
Gum lacquer	15
_____ in chests	25
Wool, in bales	3
Upon other goods in casks, chests, or other wooden vessels	10
_____ in earthen or glass vessels	20
_____ in single sacks	2
_____ in double do.	4
_____ in sacks of bark or matting	3
_____ do. and mats together	5
_____ in baskets	5

Tare of Export Goods.---Dry Goods.

In barrels or chests	10 per cent.
In sacks	2 per cent.
In mats or sacks made of mats	3 per cent.
Except muscovy leather, on which are allowed	5 per cent.

Moist Goods.

Pressed caviac	15 per cent.
Soap	3 per cent.
Meat and salt fish	10 per cent.
Tallow	10 per cent.
Honey	17 per cent.
Treacle	10 per cent.
All other moist goods	17 per cent.

For weights and measures, vide page 53.

For moneys, vide pages 53, 63.

PHILADELPHIA,

The capital and only seaport of Pennsylvania. It is situated on the west bank of the Delaware, between that river and the Schuylkill, 120 miles from the sea, and is accessible by vessels of 500 tons. Lat. 39° 57' N. Long. 75° 09' W.

For Pilot laws, vide page 185.

By a law passed March 13th, 1817, it is enacted, that the master of any ship neglecting to report within 36 hours after arrival, shall forfeit only 10 dollars.—Vide 29, page 187.

Pilots intoxicated are to be suspended not less than one year, and for a second offence, to be incapacitated for ever.

Licenses may be granted by the wardens to act as pilots for 6 months.

Quarantine	219.
Passenger	243.
Inspection	21.

A tonnage duty of 4 cents per ton must be paid to the port wardens before sailing, upon every vessel cleared for a foreign port, for the purpose of improving the navigation of the Delaware.

Port Regulations.

No vessel, having more than 5 kegs of gunpowder on board, can anchor north of the pier next above the Point house on the Delaware; and all gunpowder shall be landed at that pier, and no greater quantity than 3 kegs of 25 lbs. each shall be landed from or shipped on board of any vessel lying between that pier and the wharf of Cowree & Co.

All gunpowder, over 30 lbs., must be delivered at the magazine, within 48 hours after the arrival and before coming to any wharf, of any vessel importing the same, under the penalty of 20 pounds for every cask not delivered.

Gunpowder, to be exported, must be delivered from the magazine into some boat, and from thence carried immediately to the vessel, under penalty of 20

pounds if the boat is not ready to receive it, and 15 pounds for every hour such boat shall remain at the wharf after receiving it.

No fire shall be kept on board any vessel after 8 P. M. under the penalty of 10 shillings, except by special license from the mayor.

Vessels are liable, in the state of Pennsylvania, for repairs and materials, upon attachment, from the time of repairing until the vessel has proceeded to sea, and then the lien ceases. The tradesmen may all join in the libel. Upon security being given to answer the demands then filed, the vessel is released from the arrest.

ROTTERDAM,

A seaport of Holland, situated at the junction of the Rotte and the Merme. Lat. $51^{\circ} 54' N.$ Long. $4^{\circ} 28' E.$

The trade of Rotterdam is very similar to that of Amsterdam, but not so extensive. Rotterdam is, however, a much better place for most kinds of grain, and the white Zealand wheat, shipped from this place, is of a particularly fine quality. It is also the best market for madder and geneva; the latter of which is sold by the rume, but for the convenience of English smugglers, it is also sold in ankers and half ankers.

The imports are the same as at Amsterdam.

For weights and measures, vide Amsterdam.

For moneys and exchange, vide do.

SAVANNAH,

The chief seaport of Georgia, situated on the south bank of Savannah river, 17 miles from its mouth. Lat. $32^{\circ} 02' N.$ Long. $81^{\circ} 03' W.$

For Pilot laws, vide page 198.

[The following Pilot regulations were omitted in their proper place.]

The compensation for outward pilotage shall be the same as inward, and two dollars per day shall be allowed to each pilot detained on board of an outward bound vessel.

Port Regulations.

The commissioners have power to place anchors, buoys, and chains in the port of Savannah and to Five-fathom Hole, for the use of which they may demand

From all vessels under 200 tons	5 dollars
above 200, and less than 300,	10 do.
above 300	12 do.

To displace or cut the same, subjects the offender to a penalty of \$300.

The same are placed in Darien river, for the use of which vessels, except coasters, shall pay 3 cents per ton.

No master shall throw out any rubbish or ballast in the rivers or ports in this state, except above highwater-mark, under a penalty not exceeding 300 pounds sterling.

If any vessel shall be intentionally suffered to sink in Savannah river, between Ray's Hole and Cockspur Island, the owner or captain shall be fined not more than 2000 dollars.

Wharfage.

	s. d.
For every ship, snow or brig loading at a wharf, per day	1 4
For such vessel lying and not loading at a wharf, per day	2 8
For every sloop or schooner loading, per day	0 10
do. lying and not loading, per day	1 3

Besides these there are fees for goods laden from one vessel to another.

Quarantine, vide page 236.

[The following regulations were omitted in their proper place.]

Fees of the Health Officer.

For visiting a vessel and granting a certificate of health, or visiting under the quarantine law, for ship, snow, brig, or bilander,	\$2 00
For schooner, sloop, pettianger, or boat, (except a coaster from some inlet in Georgia,)	1 00

After the quarantine is performed, the goods must be opened and aired at such places and for such time as shall be directed.

The jurisdiction of the corporation of this city, in cases of quarantine, extends to all vessels entering any port or inlet from Ossabaw Sound to Tybee.

The corporation have authority to require such vessels as shall be suspected to have come from infected places, to come to and submit to an examination, and quarantine if necessary, and a certificate of the health officer.

Tonnage.

A duty of 3 pence per ton is imposed by a law of Georgia, to which Congress has assented, on all vessels entering this port, to be applied to improving the navigation of the river. This is in addition to the tonnage duty of the United States, and of the state duty of 4 cents per ton for the health fund.

For passengers, vide page 253.

For laws relating to seamen, vide page 128.

SICILY.

PALERMO (Lat. 38° 07' N. Long. 13° 20' E.) is the capital of Sicily, and has a good harbour; but **MESSINA** (Lat. 38° 14' N. Long. 15° 49' E.) is better situated for the trade with Italy, being only at a short distance from the Italian coast. Its harbour is very commodious, but by no means safe.

The principal exports of Sicily are grain to Genoa, Leghorn, France, and Spain—silk (the chief staple article) to Genoa, Leghorn, Marseilles, the United States, and England—salt, shumac, almonds, tallow, olive oil, olives, cheese, nuts, barilla, wines, anchovies, and sardines—kid, lamb, fox, hare, and rabbit skins.

The imports are from Leghorn, raw wool and woollen stuffs, raw and spun cotton, linens, calicoes, iron, copper, gunpowder, indigo, cochineal, pepper and other spices, dyewoods, flax, hemp, and hides; from Genoa, velvets, paper, German linens, embroidered silks, &c.; from France, linens, cotton stuffs, hats, paper, lace, jewellery, camlets, serges and other stuffs; from Venice, quicksilver, turpentine, druggeries, cloth of Padua, wax, glass, &c.; from Naples, English and French merchandise, Calabrian pitch, timber, earthenware, &c.; from Trieste, German articles; from Spain and Portugal, sugar, tobacco, dyewoods, and other colonial produce; from Holland, linens and West India produce; from England, East and West India produce, watches, hardware, cutlery, toys, jewellery, copper, pewter, iron, lead, hides, &c.

For weights and measures, vide Palermo, page 38.

For moneys, &c. vide pages 55, 63.

SMYRNA,

The principal port in the Levant, has a very large and commodious harbour, and carries on a great trade with the interior of the Asiatic nations. The Armenians carry on the greatest trade with Smyrna: about 15,000 are established in this city, and the caravans from Persia are chiefly composed of them. These caravans arrive and depart at fixed periods, by which the Europeans regulate their shipping, in order that the Asiatics may carry with them the western merchandise, and the Europeans reload with that of Asia. Of the European mer-

tions, the English send the greatest number of ships to Smyrna. Lat. 38° 28 N. Long. 27° 20' E.

The imports are piastres, cloth, silken stuffs, paper, cochineal, argil, indigo, sugar, spices, dyewoods, East India goods, &c.

The exports are coffee, cotton, wool, camel's and goat's hair, currants, raisins, figs, wax, soap, pearls, precious stones, opium, rhubarb, and other drugs, box-wood, Turkey carpets, silks, iron, &c.

The French trade to Smyrna is chiefly carried on from Marseilles, and that of the Italians from Leghorn.

For weights and measures, vide Turkey, page 38.

For moneys, &c. vide pages 56, 59.

STOCKHOLM.

The few articles that Sweden produces are much sought after by other nations, viz. iron, steel, copper, tar, pitch, and timber. Iron, however, is the chief article of Swedish commerce, if we except the deals of Norway, (which latter country is now part of the kingdom of Sweden,) and which are from Christiana, the best in the world. The greatest export of iron is to England, where it is in great request. The produce of the mines is frequently contracted for beforehand.

The imports of Sweden are chiefly salt and colonial produce. Not every port in Sweden has the privilege of shipping goods in its own ships; those places that have this privilege, are called staple towns; the principal of them are Stockholm and Gottenburgh.

Stockholm, the capital of Sweden, is built on several islands in the Molar sea, near its junction with the Baltic. The harbour is commodious and safe; but the entrance is rather dangerous, on account of the many rocks and small islands. The vessels employed in the trade of Stockholm are mostly Swedish, because all goods, imported under other flags, pay a heavy duty. Lat. 59° 21' N. Long. 18° 04' E.

The principal articles of export, are iron, steel, pitch, tar, and timber; of iron, the annual export is about 400,000 ship pounds.

The imports are salt and colonial produce; refined sugars are prohibited, as is also hardware. As the import trade is not very considerable, ship owners generally send a cargo of iron, tar, pitch, &c. to England, and let the ship take there a charter to the Mediterranean or America, which not unfrequently pays in one voyage for the loss of the vessel.

Foreign vessels may bring the produce of other countries, besides their own, upon paying 40 per cent. additional duty.

There is in Sweden a company who have the monopoly of wrecks. The rate of salvage on Swedish property, if goods are not landed, 6 per cent.; if landed, 8 per cent. on the whole lost as well as saved. On foreign property, 10 per cent.; on articles raised from a sunken ship, 20 per cent. if Swedish: 25 per cent. if foreign. On heavy articles, 15 per cent. after payment of expenses by the owner.

By the treaty of September 4, 1816, the produce of the United States and West-Indies, may be imported into Sweden in American vessels, on as favourable terms as in Swedish vessels, except an addition of 10 per cent. on the duties, imports, and charges on West-India produce.

The manufactures and produce of the United States, are admitted upon the same terms as the same articles the production of any other country. The certificate of the American collector, proves the goods to be of American produce, or manufacture. American vessels not intending to break bulk, may depart without any charges, except pilotage, wharfage, or light money, where the same would be payable by Swedish vessels. If they discharge part only, of the cargo, duties are payable only on that part: but the charges, &c. of the vessel itself are payable at the port where she first breaks bulk, and only there. Americans enjoy all the rights of entrepot enjoyed by the subjects of the most favoured nation. American vessels in ballast, or importing produce of the United States, or exporting Swedish produce, are on the same footing as Swedish

vessels. Shipwrecked goods may be claimed in a year and a day. American vessels from ports of the United States to ports in Sweden, or Norway, or vice versa, shall not be subject to any quarantine, except that necessary for the visit of the health office, provided they have a clean bill of health from the health officer of the port of departure; unless some person be found on board afflicted with a malignant disease, or general quarantine regulations have been promulgated as to all vessels from that port.

For weights and measures, vide page 30.

For moneys, &c. vide pages 54, 64.

TUNIS.

The commerce carried on at present between the Christian states on the northern shores of the Mediterranean and the country of Tunis, is very extensive, and the exports are chiefly the produce of the country, which may be always shipped by getting a permit from the Bey, for those articles that pay a duty. Tunis is the most considerable state in Barbary for commerce. Lat. $36^{\circ} 32' N.$ Long. $10^{\circ} 34' E.$

The principal articles of export are wheat, barley, beans, olive oil, hides, skins of wild beasts, wool, wax, honey, madder, roots, ivory, gold dust, scarlet caps, jerbi shawls, senna, soap, sponge, cotton, ostrich feathers, orchilla, weed, and live cattle; but the trade with Tunis has not been cultivated in proportion to the advantages of which it is susceptible.

The principal port for shipping corn from the country of Tunis, is Biserta, about fifty miles west from Tunis, but no corn can be shipped without first obtaining a tiskery from the Bey, for which must be paid as follows:

For wheat, 22 11-2 piastres per caffisi.
barley, 11 1-4 do. do.

The caffisi of corn is divided into eighteen weales: 100 caffisi are 127½ Winchester quarters.

The price of corn is extremely fluctuating; it is generally cheapest at the end of harvest in August and September.

Wheat fluctuates from thirty to seventy piastres per caffisi; barley fluctuates from twelve to thirty-five piastres per caffisi. There is always a great demand for grain to export to Minorca, Majorca, the east of Spain, the south of France, and the greatest part of Italy and Malta.

Olive oil is chiefly shipped from Tunis, Soliman, and Susa; but the last is by far the best place to load at, especially in point of expedition. Before any shipment takes place, a tiskery must be obtained from the Bey, paying two and a half piastres per metal, Tunis measure, which will weigh about forty pounds English. The French from Marseilles, take large quantities of oil. Some of the Tunis oil finds its way to England under the name of Gallipoli, especially for the use of the clothiers, it being a stronger bodied oil than the Italian.

The Susa oil is in higher estimation than the Soliman, and the latter is reckoned better than the Tunis oil.

Sponge is gathered on the sea shore near Sphax and Jerbi; it is inferior to that found on the shores of the Black Sea, yet it will always meet with a ready sale, especially in Malta, Sicily, Italy, and Spain.

Soap is made in the kingdom of Tunis, and is exported in great quantities; it is usually shipped from the ports of Tunis and Susa. It is generally much cheaper and of a better quality at Susa.

Immense quantities of wool are annually exported from Tunis, the quality entirely depends upon the part of the country that produces it. At Tunis, and in the western part of the country, the quality of the wool is but very indifferent; at Susa it is much better; at Jerbi, Sphax, and the eastern part it is very fine, being nearly equal to the Spanish wool—but having a much longer staple, it is better adapted for the manufacture of shawls.

Ivory and gold dust are articles of export from Tunis, but not the produce of the country. They are brought by the Caravans from the interior of Africa, the trade carried on by these Caravans being chiefly in slaves, ivory, and gold dust. The traders from the interior, generally arrive at Tunis in the month of June,

and disposing of their merchandise, make purchases of goods to take back with them; the goods they take in return, consist chiefly in long ells, coarse woollens, fire-arms, gunpowder, watches and hardware. The Caravans again set out from Tunis in October for Tombuctoo and the coast of Guinea.

Ostrich feathers are sold by weight, and divided into classes according to the quality; the Moors use many artifices to increase the weight.

The imports into the kingdom of Tunis form no inconsiderable part of the commerce of the Mediterranean; they are chiefly—from Syria, India muslins; by the caravans, via Bussora, cottons, carpetings, silks, raw and manufactured opium, copper, and tobacco; from the Morea, dried fruit and figs to make brandy; from Tripoli, madder, roots, and senna; from Trieste, glass ware of various kinds, wood in beams, and plank, iron, fine linens, and woollens, chiefly low priced; from Spain, wine, brandy, wool, and naval stores of all kinds; from France, hardwares of all sorts, watches, trinkets, fine linens, woollen cloth of all kinds, sugars and coffee.

From Leghorn, Swedish iron, narrow and flat bars, tin in bars and sheets, lead in pigs and shot, quicksilver, aquafortis, spices of all sorts, black and red stick lack, gum, benjamin alum, copperas, sugars of all sorts, coffee, cloths of various kinds, cochineal, logwood, nails, white and black ginger, fine linens, and sheet iron.

The Tunisians receive most of the British manufactures, &c. via Leghorn; but nevertheless, they consume a considerable quantity of English manufactures, particularly coarse woollens; great quantities of long ells made in the neighbourhood of Exeter, being sent out for this particular market. The bales for the Tunis market should be assorted as follows:

10 pieces light blues, long ells.	10 pieces coffee coloured, long ells.
9 do. Turkey blues, do.	2 do. yellow, do.
9 do. Mazarine blues, do.	1 do. green, do.
9 do. red, do.	50 do. in each bale, do.

Arch Imperials.

30 pieces blue, long ells.	5 do. sorted colours, (no green) long ells.
15 pieces red, do.	50 do. in each bale, do.

Scarlet, long ells, should always be sent in separate bales; two or three bales of scarlet are sufficient at one time, and for the other bales, assorted as stated. There is always a demand at Tunis for any quantity, as the caravans take immense quantities into the interior of Africa.

The fine cloth, which the Tunisians chiefly use, has been generally of French manufacture only, because they esteem the colour rather than the quality of the cloth. Bales should be assorted thus:

1 piece scarlet, long ells.	1 piece purple, long ells.
1 do. crimson, do.	2 do. mazarine blue, do.
1 do. light wine, do.	2 do. light blue, do.
1 do. deep wine, do.	1 do. green, do.
2 do. deroy, do.	12 pieces in each bale.

The pieces should be from eighteen to twenty yards each, seven-fourths wide; the cloth should not be shorn bare, but have a tolerable dress upon it.

The best season for a ship to go to Tunis with a cargo of merchandise, is in the months of September and October, particularly for woollens; the weather then becomes rather temperate, and the Moors never think of purchasing an article for their own wear, until the moment it is wanted, though they often pay double for it. Spices of all sorts, are always paid for in ready cash; lead, and all sorts of naval and military stores, pay no duty whatever; all other articles imported in British ships, are, by treaty, to pay three per cent. ad valorem, but the tariff does not amount to more than two per cent.

The French pay the same tariff as the English; American vessels pay six per cent. ad valorem, if loaded by foreigners; but if loaded with American produce, the duty is the same as Tunisians would pay in the United States: and the Jewish merchants, who enjoy the whole of the trade between Tunis and Leghorn, pay ten per cent. tariff upon all their imports.

Anchorage duty.—If in ballast, nothing. If they bring or carry away a cargo, 17½ piastres.

For weights and measures, vide page 38.

For moneys, &c. vide page 36.

VENICE.

Once the first commercial city in the world, but under Austrian control, sunk to comparative insignificance. Its principal commerce is now more particularly with the Levant, the produce of which is transmitted from hence to other countries, and the Levant supplied with groceries, Dutch and German linens, dried and salted fish, &c. The manufactories of Venice afford large quantities of wrought silk for foreign commerce, also velvets, and embroideries. The Venetian turpentine and mirrors, are celebrated all over Europe.

The bank of Venice is the oldest in the world, being instituted in 1587. All bills made payable in Venice, in banco, used to be paid through the bank; but since the French carried away the funds or capital of the bank, this has ceased.

In proportion as Venice has declined, a neighbouring city and port, Trieste, in one of the Austrian provinces on the Adriatic Sea, advanced. It has a large and safe harbour, and a great trade, as most of the foreign produce for the consumption of the Austrian states, is drawn from it, so that it necessarily becomes a great depot for the produce of the Levant; in return, it supplies those countries with many foreign articles.

For weights and measures, vide page 33.

For moneys, &c. vide pages 54, 65.

WEST-INDIES.

These islands lying at the mouth of the Gulf of Mexico, between lat. 10° and 28° N. are of great importance in the commercial world. Their products are abundant and valuable, viz:—Sugar, coffee, rum, molasses, cotton, cocoa, ginger, spices, aloes, pimento, indigo, drugs, and dyes.

Their imports are flour, grain, lumber, staves, fish, beef and pork, horses, cattle, vegetables, manufactures of the United States, furniture, staves, hoops, and heads.

Different regulations are in force as to the terms of importation in the several islands. Hayti and Margarita are independent; the rest are in subjection to the European powers.

HISPANIOLA, OR HAYTI.

This island is situated between Jamaica and Cuba on the west, and Porto Rico on the east. It has naturally a fertile soil, and its productions, consisting of coffee, cotton, sugars, and mahogany, are in great demand; but since the expulsion of the whites, its exports have greatly diminished. The independent parts are now united under the government of President Boyer, and great efforts are making by the public authorities to render the negroes civilized and industrious. The ports are Cape Henry, Port au Prince, the mole in the government of Boyer, and St. Domingo in the Spanish part of the island.

The following regulations were promulgated March 30th, 1817, by Christophe, before the independent parts were united:

2d. The landing and embarking of cargoes cannot be effected but upon the established wharves appointed for that purpose, and upon the permits in writing of the weigh master of the custom-house, signed by the consignee or by their clerks in presence of the searchers. These permits are valid for the day only. Landing and loading can only be done from sundown to sunset, Sundays and holidays excepted, on pain of forfeiture of the goods.

3. The unloading and loading of articles brought for the government, may be done any where as may be ordered by the collector of the customs.

4. All masters of vessels may load and unload with their own boats.

5. The offices of the customs shall be open from 6 o'clock in the morning until noon, and from 2 o'clock in the afternoon until 6 o'clock in the evening in the long days, and until 5 o'clock in the short days.—The searchers shall always attend at the wharves until sunset.

6. The translation of the invoices or manifests shall be deposited at the custom-house by the interpreter, within 48 hours at most. The whole of the cargo of the vessel must be reported in the invoice, and at the bottom a memorandum of the merchandise not to be unloaded.

7. The collector is obliged to furnish to the consignee, a statement of the importation duties within 6 days after the vessel shall be unloaded, that he may not be delayed when he clears out the vessel.

8. Transporting merchandise to the custom-house, unpacking for inspection and repacking, shall be at the expense of the owners, as also for the exportation of produce. The inspection and purification of goods can only be done in the presence of the consignees and their clerks.

9. All merchandise not unloaded, which shall be declared upon the manifest translated by the interpreter, and signed by the captain or consignee to be re-exported, shall be free of import duties. If, however, he may find it necessary to land those goods, thus declared, in order to export them by another vessel, he may do it, and the goods shall be deposited in the store of the consignee, under his and the captain's responsibility, and under the custom-house seal, and shall pay duty on re-exporting the same at 2½ per cent. If at the expiration of three months from the day of the arrival of the vessel, the goods thus deposited shall not be re-exported, they will be subject to the full duties.

10. All captains of foreign vessels entering any of the ports of the kingdom, is to declare on his arrival if he means to sell or not.

11. If a vessel puts in on account of stress of weather, should want any repair which requires the cargo to be unloaded, the same to be deposited in a merchant's store under seal of the collector of customs—and shall not be subject to any duty, unless it may be found necessary to sell part of the cargo; in which case the goods sold will be subject to the importation duty as per tariff, the remainder may be shipped on board the same vessel or any other.

12. In the case of a wreck, the collector of the customs or a searcher, as soon as informed thereof, shall go to where the goods may have been carried, in order to have them deposited at the custom-house, where a descriptive declaration and recognizance shall be made in the presence of the proprietor, (if any there) or of the captain or supercargo, and a copy shall be given to him; those goods shall afterwards be restored to the owners on payment of the duties as per tariff, and in conforming to the articles of the law upon wrecks. In case of the goods being damaged, and that the same is duly stated, the duties shall only be chargeable upon the estimated value of those goods.

13. Cargoes which may have paid all the duties and fees of the different offices in one port, and shall go to another port of the kingdom, with the whole or any part of his cargo, not being subject to any other duty excepting anchorage and flag-staff money.

The collector of the customs of the port, where the duties shall have been paid, shall state in the clearance that the duties have been paid, and if necessary, shall enumerate the goods:

14. The import and export duties shall be paid before the vessel obtains her clearance.

The period of six months allowed by decision of His Majesty in favour of foreign trade, dated the 19th of February, 1813, for the re-examination of ardent spirits, which shall not be sold, is confirmed.

16. When the collector of the customs has strong presumption of fraud, he may in concert with the comptrollers, make every necessary search and inspection on board of the suspected vessel, which they may judge necessary to assure themselves that nothing more has been unloaded or loaded on board, but the merchandise or produce declared and specified in the permits.

17. In case fraud should be discovered, the collector of the customs and the comptroller, are authorized to have the whole or part of the cargo unloaded: they shall make a fair statement of the cargo, and the captain or consignee shall be jointly condemned to a fine of double the value of the goods or produce confiscated.

18. Fraud exists when the weight of any kind of produce found on board shall exceed 10 per cent. of the weight specified in the custom-house books, or when a greater number of bales, cases, bags or tons, than what is in the permits
ing or landing.

19. All merchandise or produce seized, shall be deposited in the custom-stores, a statement of the fraud shall be transmitted within 24 hours at the office of the minister of finances and of the interior, where penalty shall be ordered. The articles seized shall be sold at public sale, and the amount proceeding therefrom deposited in the treasury, to be disposed of as may be directed by our minister of finance and of the interior.

21. The collectors of the customs, are bound to have in their offices, the ordinances and tariff for their guide—to communicate them to all who may be desirous of information, but without allowing the same to be taken out of their office.

All spirituous liquors are prohibited in the island of St. Domingo, and if intended for exportation, must be so exported on arrival; otherwise it is subject to confiscation and a fine of five dollars for every gallon on board.

The exportation of the following articles is prohibited, viz:—arms of all kinds and all munitions of war, all gold and silver, and whether coined, manufactured, or not, jewelry, copper, old iron, castor oil, campeachy, and yellow wood.

Duties on Exportation.

Coffee per cwt.	\$1 21	Shell	\$0 50
Sugar, white or clayed	1 80	Marine salt, per bl.	50
raw	60	Liquors, per 12 bottles	40
Cotton	1 20	Tobacco	80
Indigo, per lb.	5	Horses and mares	\$40
Cocoa, per cwt.	60	Oxen	24
Molasses, per velt,	5	Cows	20
Raw ox hides, each	50	Antelopes and calves	12
sheep or kid	10	Mules	40
Dressed, do. per side	50	Asses	20
Mahogany, per fast,	50	Sheep	2
Gum guyacum, per cwt.	1 00	Presses of mahogany	40
Chocolate, per lb.	5	Sideboards	30
Confectionary, per lb.	5	Tables	12
Cassia medicinal	1	Bedsteads	25
Yellow wax	10		

The eastern or Spanish part of the island lately declared itself independent and has solicited to be admitted into the republic of Colombia.

For weights and measures, vide page 39.

For moneys, vide page 65.

PORT AU PRINCE.

The duties upon imports at Port au Prince are 12 per cent. except British manufactures in British vessels, which pay 7 per cent.

Wharfage—50 cents per 1000 lbs. French, on all articles to be weighed, and from 4½ to 50 cents upon every package.

Tonnage duties—50 cents per ton, and payable only in one port.

In January 1822, an additional duty of 50 cents per ton was laid at Port au Prince, and the present tonnage duty on foreign shipping, is therefore \$1 per ton.

Port charges—for all vessels under 200 tons, 72 dollars—above do. 108 dollars, and payable at every open port, where they land or ship any part of their cargo.

Commissions on sales 5 per cent.—on return, 2½ do.

Export duties, including wharfage, weighage, and territorial:

On Coffee, per 1000 lbs.	\$37
Cotton,	47
Sugar,	19
Cocoa,	24
Logwood and Lignumvita	7

Tariff for the Fountain.

Vessels between 15 and 50 tons, pay 4 dollars, and 4 dollars for every additional 50 tons to 20 dollars, which is the maximum.

Stamps for entering and clearing a vessel	\$10 50
— on any sum not exceeding 200 dollars	6
— of 200 dollars, and not exceeding 500,	12
— of 500 do. do. 1000,	25
— of 1000 do. do. 3000,	50
— of 3000 do. and upwards,	100

MARGARITA.

This island belongs to the republic of Colombia, and is of course subject to the commercial regulations of that government.

BRITISH ISLANDS.

These are Anguilla, Antigua, Bahama Isles, Barbadoes, Barbada, Dominica, Grenada, Jamaica, Montserrat, Nevis, St. Christopher, St. Lucia, St. Vincent, partly independent, Tobago, Tortola, Trinidad, and Virgin Gorda.

The regulations for Bermudas, are included under this head, though not properly belonging to it.

By a British statute, passed 28 Geo. III. c. 6. the importation into the West Indies of all produce of the United States, except such articles as are enumerated in the act is prohibited, and the importation of the enumerated articles is prohibited, except in British vessels. The exportation of all West-India produce, except salt from Turks Island, Nassau, Exuma, Crooked Island, is also confined to British vessels.

By our navigation laws, the entry of British vessels into the United States from any port usually closed against the United States, is prohibited. The trade of the United States with the West-Indies, except the importation of salt from the Bahama Islands above mentioned, may therefore be considered as closed. A tonnage duty is levied on vessels taking in salt at the Bahamas of 2s. 6d. per ton, payable in dollars at the rate of 5s. 6d. per oz. Trade with the West-India Islands through any of the British American possessions, is also prohibited by the navigation system of the United States.

The just and manly policy pursued by the United States towards Great Britain as to the colonial trade; (offering to trade upon the terms of reciprocity and equality, or to abstain from all intercourse) has, as was foretold, had the desirable effect. The distresses of the West-India islands, have induced the ministry to propose a bill which is now before parliament, to open the West-India trade to American vessels. The following is an abstract of the proposed bill:—

1. Provides for the repeal of certain acts relative to the trade of the colonies—among others, the 28th Geo. III. chap. 29.

3. From and after the passing of this act, it shall be lawful to import into any of the ports enumerated in the Schedule (A.) from any foreign country on the continent of North and South America, or from any foreign island in the West-Indies, the articles enumerated in the Schedule (B.) either in British built ships or in any ship or vessel bona fide owned by the inhabitants of any country under the dominion of the sovereign of which the said articles are the growth, produce or manufacture. Provided always, That no articles enumerated in the said Schedule, shall be imported in any foreign ship or vessel, unless shipped and brought directly from the country of which they are the growth, produce, or manufacture.

4. It shall be lawful to export in any British built ship or in any foreign ship from any of the ports enumerated in the Schedule (A.) any article of the growth, produce or manufacture of any of His Majesty's dominions or any other article legally imported into the said ports, provided that the said articles when exported shall be exported direct to the country or state in America or the West-Indies to which such ship belongs, and before the shipment thereof, security by bond shall be given to His Majesty, in a penalty equal to half the value of the said articles, for the due landing the said articles at the port for which it entered. Provided always, That nothing herein contained shall be construed to permit exportation of any arms or naval stores, unless a license shall have been obtained for that purpose from His Majesty's Secretary of State.

5. The legality of importation in case of exportation, shall be made good to the chief officer of the customs.

6. There shall be paid unto His Majesty, upon the articles enumerated in the Schedule (C.) imported into any of the ports in the Schedule (A.) from any such foreign country, the duties of customs as the same are respectively inserted in the Schedule (C.), and the same shall be under the management of the commissioners of the customs in England, and shall be raised as any other duties now payable to His Majesty, and the produce of such duties shall be paid to the receiver-general of the colony in which the same shall be levied, to be applied to such uses as may be directed by the authority of the general courts or general assemblage of such colonies.

8. In doubts, the cost of imports to levy the ad valorem duties, shall be determined by adding 10*l.* to the prices current of such imports at the place of export.

9. The importer refusing to pay duties, the goods shall be forfeited and sold according to law.

11. If upon the importation of any article charged with duty by this act, the said article shall also be liable to the payment of duty under the authority of any colonial law, equal to or exceeding in amount the duty charged by this act, then the duty charged upon such article by this act, shall not be paid upon the importation of such article: and if the duty payable under such colonial law, shall be less in amount than the duty payable by this act, then the difference only in the amount of the duty payable by this act, and the duty payable under the authority of such colonial law, shall be deemed to be the duty payable by this act.

12. Forfeitures and penalties shall be in sterling money.

16. No articles except such as are enumerated in the Schedule, shall be imported in foreign vessels on any pretence whatever.

17. No Articles shall be imported or exported, except to the ports mentioned in the Schedule (A.)

SCHEDULE (A.)

List of Free Ports.

Kingston, Savannah Le Mar, Montego Bay, Santa Lucia, Antonio, Saint Ann, Falmouth, Maria, Morant Bay, Jamaica; Saint George, Grenada; Roseau, Dominica; Saint John's, Antigua; San Josef, Trinidad; Scarborough, Tobago; Road Harbour, Tortola; Nassau, New-Providence; Pitt's Town, Crooked Island; Kingston, Saint Vincent; Port St. George and Port Hamilton, Bermuda; any port where there is a custom-house, Bahamas; Bridgetown, Barbadoes; St. John's, St. Andrew's, New-Brunswick; Halifax, Nova Scotia; Quebec, Canada; St. John's, Newfoundland; Georgetown, Demarara; New Amsterdam, Berbice; Castries, St. Lucia; Bassatterre, St. Kitts.

SCHEDULE (B.)

Asses, barley, beans, biscuit, bread, beaver, and all sorts of fur, bowsprits, cocoa, cochineal, coin and bullion, cotton wool, drugs of all sorts, diamonds and precious stones, flax, fruit, and vegetables, fustic, and all sorts of wood for dyers' use, flour, grain of any sort, hemp, heading boards, horses, hogs, hides, hard wood or mill timber, live stock of any sort, lumber, logwood, mahogany, and other wood for cabinet wares, masts, mules, neat cattle, oats, peas, potatoes, poultry, pitch, rice, staves, skins, shingles, sheep, tar, tallow, tobacco, turpentine, timber, tortoise-shell, wool, wheat, yarns.

SCHEDULE (C.)

A Table of Duties payable on articles imported into His Majesty's possessions in America and the West Indies, from other places in America and the West-Indies.

	£	s.	d.
Barrel of wheat flour, not weighing more than 196 lbs. net weight	0	5	0
Barrel of Biscuit,	0	2	6
For every cwt. of biscuit,	0	1	6
For every 100 lbs. of bread made from wheat, or other grain, imported in bags or packages,	0	2	6
For every barrel not weighing more than 196 lbs. made from rye, peas or beans,	0	2	6

For every bushel of pease, beans, rye, or calarances,	£0 0 7
Rice, for every 100 lbs. net weight,	0 2 6
For every 1000 shingles, called Boston chips, not more than 12 inches in length,	0 7 0
For every 1000 shingles, being more than 12 inches in length,	0 14 0
For every 1000 red oak staves,	1 1 0
For every 1000 white oak staves, or headings,	1 1 0
For every 1000 feet of white or yellow pine lumber, of one inch thick,	1 1 0
For every 1000 feet of pitch pine lumber,	1 8 0
Other kinds of wood and lumber, per 1000 feet,	1 8 0
For every 1000 wood hoops,	0 5 3
Horses, for every 100l. of the value thereof,	10 0 0
Neat cattle, for every 100l. of the value thereof,	10 0 0
All other live stock, for every 100l. of the value thereof,	10 0 0

We have not yet heard of the passage of that bill, but it will be mentioned in the appendix if parliament shall sanction it before the publication of this work.

For weights and measures, vide page 39.

Barbadoes, 66.

Bahamas, 51.

Moneys at Jamaica and Bermudas, 65.

the other British W. India islands, 66.

Fees to be received by the Custom-House officers in the British West-India Islands and plantations.

On American vessels entering and clearing with or without cargoes:—

Under 50 tons, Collector, \$18	Two Searchers \$8	Four waiters \$10
From 50 to 130	24	14
130 200	30	18
200 300	36	24
300 400	42	26
400 and upwards	48	28

Non-objection note, or short clearance 3

Permit for loading or landing a cargo 1

Certificates accompanying the same and bonds 1

Post Entry 2

N. B. The Comptroller's fee to be one half of the Collector's fee.

In all cases where a fee is allowed to be taken by a British officer of the customs, and the attendance or signature of a Dutch officer is also required, the British officer to receive one half, and the Dutch officer the other half of the stipulated fee.

BAHAMAS.

These islands, situated between lat. 26° and 21° N. and long. 79° and 71° W. belong to Great Britain. The most important of these are New Providence, lat. 25° 05' long. 77° 22'; Exuma, lat. 23° 36' long. 75° 51'; Turks Island, lat. 21° 30' long. 71° 03', and Crooked Island, lat. 22° 48' N. long. 74° 18' W. all being ports of entry for vessels of the United States to procure salt.

The articles of export are salt, cotton, pimento, dye-woods, fruit, &c.

Fees.

Fees to the governor and secretary for a pass for a vessel to depart	£ 1	s. 0
For a passenger's ticket		9
For putting up his name in the Secretary's office		2

Receiver General and Treasurer.

For every affidavit	£0	2s.	0d.
For every permit for landing enumerated and dutable goods	0	3	0
For every bond; and filing	0	8	0
For each certificate to the secretary	0	4	0

Private Sec. to the Commander-in-Chief.

For every writing under the governor or commander in chief's seal at arms £0 8 0

Public Notaries.

For noting every protest	0 12 0
For a common instrument of protest	0 18 0
If long and special, more	0 10 0
For attendance and noting a bill of exchange	0 12 0
For every oath	0 1 6
Every certificate under seal	0 12 0
For recording copies of all papers, per folium	0 1 0

RATES OF PILOTAGE.

Vessels drawing 6 feet water and under	£1	4s	0d.	Vessels drawing 13½ feet	£5	0	0
7	1	12	0	14	5	4	0
8	2	0	0	14½	5	8	0
9	2	8	0	15	6	0	0
10	2	16	0	15½	6	16	0
11	3	4	0	16	7	8	0
12	4	0	0	16½	7	16	0
12½	4	8	0	17	8	4	0
13	4	16	0	17½	8	12	0
				18	9	0	0

Harbour Master's Fees.

On every ship or vessel drawing eight feet water or under (droghers, coasters and foreign vessels excepted,)	£0	16s.	0d.
For every ship or vessel drawing upwards of eight and below ten feet	1	8	0
And for every ship or vessel drawing upwards of ten and below twelve feet	1	12	0
For every ship or vessel drawing twelve feet and below fourteen	2	0	0
For every ship or vessel drawing fourteen feet and upwards	2	8	0

And in case the master or owner of any vessel shall desire the same to be removed from one part of the harbour to another, the harbour-master shall, for every such removal, be entitled to half the fees which are allowed for vessels on their arrival and first mooring in the harbour.

Anchorage.

Vessels from 40 to 100 tons	£0	8s.	0d.
100 to 150 tons	0	16	0
150 and upwards	1	0	0

American vessels subject to the following port charges :—At Ragged Island, which is a branch of the port of Nassau, fee of entry (Bahama currency) *3l. 12s.*—do. do. clearance, do. do. *7l. 11s.*; king's tonnage duty, *2s. 6d.* sterling per ton, *4s. 6d.* to the dollar; colonial tonnage duty *1s. 6d.* Bahama currency, *8s.* to the dollar; duty on salt *1d.* per bushel, Bahama currency.

For weights and measures, vide Great Britain, page 18 and 39.

For moneys, &c. page 51.

THE BERMUDAS.

These islands are situated at 650 miles distant from our coast, in lat. *32° 22'* N. long. *64° 33'* W. containing about 20,000 acres of land. The soil is not fertile, and the productions neither abundant or valuable; but on account of the obstructions to all direct trade between the United States and the British West India islands, they enjoy considerable commerce with the United States.

The following articles may be carried in American vessels, but not in British vessels from the United States to the ports of St. George and Hamilton only, in Bermuda, tobacco, pitch, tar, turpentine, rosin, hemp, flax, spars, staves, lumber, live stock, provisions, vegetables, and grain, the produce of the United States.

The British government has permitted any produce of the West-India islands, legally imported into the Bermudas in a British vessel, to be exported to the United States, but our navigation system prohibits any imports therefrom, except the produce or manufactures of the Bermudas.

The following fees are paid at these islands :

Secretary's Office.

	£	s.	d.
For every vessel which may be entered at the customs	0	13	4
For every vessel which may be cleared at the customs	0	13	4
For a passenger's ticket	0	6	8
For a vessel on reporting at the custom-house	0	6	8
For every ticket for the crew of a vessel for each of such crew	0	1	0
For a passenger's ticket and bond	0	3	4
For a fort pass and taking the usual bond for every vessel which may clear out at the custom-house	1	0	4
For a fort pass and taking the usual bond for every vessel which may report outwards at the custom-house	0	13	4

To the Collector of the Customs.

For each vessel from twenty to fifty tons burthen, both inclusive on entry with cargo or not, (and the like sum on clearing)	1	11	0
For each vessel from fifty-one to one hundred tons, both inclusive on entry with cargo or not, (and the like sum on clearing)	1	18	6
For each vessel from one hundred and one to one hundred and fifty tons, both inclusive on entry, with cargo or not, (and the like sum on clearing)	2	3	6
For each vessel from 151 to 250 tons, both inclusive on entry, with cargo or not, (and the like sum on clearing)	2	6	0
For each vessel of 251 tons and upwards, with a cargo or not, (and the like sum on clearing.)	3	1	0
For each vessel on reporting inwards and outwards	0	17	4
For a post entry	0	10	0
For a non-objection note, or short clearance	0	13	4
For such permits, whether one or more, as may be necessary for any vessel unloading at one port in these islands	0	6	0
And if such unloading takes place at two or more ports, then two permits only, are to be charged for, each for such unloading at the rate of	0	6	0
For such permits, whether one or more, as may be necessary for any vessel loading at any one port in these islands	0	6	0
And if such loading takes place at two or more ports, then two permits are only to be charged for—each, for loading at the rate of	0	6	0
For a bond or bonds inclusive of any certificates which may be necessary	0	6	0

The Comptroller.

The fees to be paid to the Comptroller are equal to one third of the fees paid the Collector.

Searchers or Waiters.

For such one of them as may visit a vessel on arrival inclusive of any certificates necessary to be granted	0	8	4
For such one of them as may visit a vessel, outward bound, inclusive of any certificates necessary to be granted	0	8	4

Measurer of Vessels.

For measuring a vessel when required	1	10	0
--------------------------------------	---	----	---

Naval Officer.

For each vessel which may be entered at the customs with a cargo	0	17	6
For each vessel which may be entered at the customs in ballast, or without a cargo	0	15	0
For each vessel which may be cleared at the customs with a cargo	0	17	6
For each vessel which may be cleared at the customs in ballast or without a cargo	0	15	0
For taking all bonds which may be necessary, whether one or more, only	0	6	0

And for all necessary certificates, whether one or more respecting such bonds the additional sum of	0 6 0
For all certificates, whether one or more, which may be necessary to cancel any bond or bonds relating to a cargo	0 6 0
<i>Health Officer.</i>	
For every vessel entered	2 13 4
<i>Harbour Master.</i>	
For every vessel entered	0 16 8
For weights and measures, vide page 39.	
For moneys, vide Jamaica, page 65.	

SPANISH POSSESSIONS.

CUBA.

This island is subject to Spain, and is the largest of the West-India islands, being 235 leagues long and from 45 to 14 broad. Its principal ports are Havana, lat. 23° 9' N. long. 82° 19' W., St. Jago de Cuba, lat. 19° 57' N. long. 76° 5' W. and Matanzas, lat. 23° 2' N. long. 81° 36' W.

The Havana is the entrepot between Spain and Mexico, and has a good and spacious harbour.

Its exports are sugar, coffee, cocoa, copper, logwood, sarsaparilla, drugs, tallow, tortoise shell, hides, spirits, molasses, honey, segars, cotton, mahogany, and ebony.

The commercial regulations which have been procured, are as follows :

1. Every captain or supercargo shall deliver a manifest of his cargo sworn to, and signed, containing the number of bales or packages, to the first visiting boat, immediately on their arrival. The commandant or custom-house officer, shall certify on the back of the said manifest, putting his flourish on each sheet, the day and hour of his receipt, and then shall deliver into the custom-house.

2. Should any captain or supercargo be neglectful on, or should deliver a false or defective manifest, he shall pay a fine of five hundred dollars, besides being liable to a further prosecution, according to the nature of the case; and should the commandant or visiting officer be neglectful in demanding, certifying, and delivering into the custom-house said manifest, an equal fine of 500 dollars shall be paid by him.

3. Within 24 hours after the arrival of a vessel, the captain or supercargo shall personally appear at the custom-house, there to deliver a second manifest, containing his cargo particularly specified; signed by himself, and in the presence of the collector, notary and interpreter, he shall solemnly swear that no more cargo is on board than that contained in said manifest. The form of this oath will be kept printed in three or more languages, which after being legally authorized, shall be joined to said manifest.

4. A fine of 1000 dollars shall be exacted of the captain or supercargo in case he omits to present the detailed manifest and take his oath within the time before mentioned; and should there be any material difference between the two manifests, the overplus shall be seized, and a fine of an equivalent amount of said goods shall be exacted from the captain or supercargo, unless said difference should have arisen undesignedly.

5. When the captain is not able to make oath to the particular manifest from incapacity and not having a supercargo on board, in that case this duty shall fall upon the consignee, who shall always exhibit within the time already stated, the original invoices, authorized by the respective consuls or vice-consuls of Spain, as heretofore required, and the interpreter of the royal finances shall translate such invoices within the two following days; which regulation is to be observed respectively when the cargo belongs to different persons.

6. Nothing shall be landed without the proper permit from the custom-house, either before or after the presentation of the manifest and invoices. The sim-

ple act of attempting to land any goods, however trifling their value, without the permit, will make the captain liable to a fine of 100 dollars, besides the seizure of the articles landed, or intended to be landed.

7. And should there be any articles passed, conveyed, or translated from one vessel to another in the harbour, without the custom-house permit, the captain of the vessel receiving them, and any one aiding or assisting in the same, shall pay 5 times the value thereof, and the effects confiscated, as also the vessel or vessels receiving them, together with the boats, launches, &c. employed in their transportation.

8. All goods or effects which may be seized by the custom-house officers, fraudulently landed, besides the confiscation thereof, and the fine imposed on the captain, expressed in article 6th, shall be immediately valued by the appraising officers of the custom-house, and should they amount at the highest market price to \$400, the vessel with her tackle, apparel, and every thing belonging to her, shall be comprehended in the penalty of seizure and confiscation.

9. When the custom-house permit is obtained, the landing must take place by daylight on the wharf or other place that may be pointed out to each vessel. Those articles which are to be examined, weighed, or measured, shall not be removed to any other wharf or place, without the custom-house permit, under the penalty of confiscation.

10. Should any goods or merchandise entered for exportation, be landed or intended to be landed fraudulently in this or any other port of the island, such goods, together with the vessel they proceed from, and the boats and launches employed in said landing, shall be confiscated.

11. Should any vessel attempt to land goods, however small the amount, in any port, not a port of entry, such vessel and her appurtenances with all her cargo shall be seized and confiscated.

12. All the provisions on board a vessel shall be manifested, and should the quantity appear excessive, the duty shall be exacted on such excess.

13. Passengers' baggage and other effects, free of duty, shall also be manifested, and should any fraud be discovered, the whole shall be confiscated, and a penalty exacted of three times the value thereof.

14. Goods may be carried from one port of entry to another in the island, in the same vessel they were imported or manifested, by securing or paying the duty thereon.

15. Generally in the loading or unloading of vessels, every article which may be discovered or seized, without a permit, intended to be introduced or exported fraudulently, shall be confiscated, and the persons guilty of the same, shall be liable to a penalty of three times the amount, provided such goods should not be subjected to the heavier penalty expressed in article 8th.

16. In the clearing of foreign vessels, a visit shall be passed by the custom-house officers, as soon as the vessel shall be loaded, and should more cargo than what is cleared out, be found on board fraudulently shipped without the knowledge of the custom-house, such goods shall be confiscated, and the captain be subject to the penalty of three times the value thereof. And if such articles should consist of silver, gold, tobacco in leaf or cigars, amounting to 400 dollars, the vessel, cargo, and appurtenances, shall also be confiscated.

17. No consignee shall dispatch a vessel, until he is satisfied by a proper document, signed by the commandant or visiting officer, that she has been visited and examined, under the penalty of 1000 dollars in the first instance, and in the second, the same penalty and further prosecution.—It being understood an officer shall remain on board the vessel until her departure.

18. In the penalties and fines herein mentioned, which are conformable to those of other nations, the informer and the seizing officer, shall be entitled to the same part as in cases of confiscated goods, and the distribution will be made in like manner, and with all possible dispatch.

19. In case the captain, supercargo, or other persons who may be fined under these regulations, should be without the means of satisfying the same, the amount of such fines and the costs accruing, shall be taken from any part of the cargo or any property under their control, reserving however to the owners their claim for indemnity against the infractors, in their own country.

20. Although the greatest severity will be exercised against the infractors of these regulations, this tendency will always have due consideration for involuntary faults or mistakes, where good faith is manifested.

21. The foregoing regulations shall be translated into English and French, and printed in three columns, a copy of which shall be delivered to every captain of foreign vessel on his arrival, by the visiting officer, that no one may plead ignorance. A copy also shall always remain posted up at the custom-house, and others transmitted to all our consuls and other persons whom it may concern. All which shall be communicated to His Majesty by first opportunity; it being at the same time understood that these regulations are not to alter in any wise, such as are at present observed, agreeable to royal, as respects the national commerce.

By a decree of the Cortez, passed 5th October, 1820, Havana is created a port of deposit of the 1st class; where goods may be landed and reshipped within a year, paying but 2 per cent.

In Cuba, as well as in the other islands belonging to Spain, provisions may be admitted according to the will of the local authorities; but the duties established in the Spanish tariff, must be paid thereon. These provisions imported into islands by permission of the governor, cannot afterwards be exported to the continent or to any islands where their admission is prohibited.

Duties are to be paid in reales de Vellon, and the weights and measures at the custom-house, are those of Castile.

Butter and cheese, pay and import duty of 30 per cent. in Spanish vessels; cod fish pay 49 per cent. in Spanish, and 64 per cent. in foreign vessels.

For custom-house regulations, vide Spain in Appendix, Cadiz.

Form of Oath.

Port of Havana.

I, _____ master or commander of the _____ arriving from the port of _____ do solemnly and truly affirm, that the manifest of the cargo on board the said _____ now delivered by me to the collector of the port of Havana, and subscribed with my name, is a copy of the manifest delivered by me to the custom-house officer, who went on board at my arrival, and contains according to the best of my knowledge and belief, a full, just, and true account of all goods, wares, and merchandise, now actually laden on board the said vessel.

So help me God.

Summary of an official decree of the Spanish government, to regulate the commerce of the Island of Cuba—passed Feb. 4, 1822.

Art. 1. The products of agriculture and the national industry imported direct from a port of the monarchy, and in a national vessel, shall pay no duty—neither general, municipal, nor of consumption.

2d. In the ports of the island of Cuba open to national and foreign commerce, the products of the agriculture and the national industry of foreign nations shall be admitted without exception, on paying 20 a 37½ per cent. duty, if imported in a foreign vessel, and one-third less in a national vessel.

3d. To calculate the corresponding duties, in conformity to the preceding article, the goods shall be valued and appraised, following the practice of the island, or by computation (tanteo) according to certain cases arranged in the organic basis of the general tariff; and the duty shall only be paid upon two-thirds of the correct price, if appraised, or upon their declared value, if subject to computation (tanteo.)

4th. Foreign productions at present in the island, cannot be exported to any Spanish port in which they are prohibited; in those in which they are permitted, they will be admitted under the rules established by the general tariff.

5th. The produce of Cuba exported in a Spanish vessel for a port in the monarchy, shall only pay on its exportation, the duty of administration specified in the tariff.

6th. Produce exported to a foreign port shall pay the sale duty of six per cent.

11th. In order to prevent frauds; until the general tariff shall fix the rules which are to govern the commerce of the Island of Cuba, regarding its geogra-

phical situation, population, consumption, and produce; as also the commercial interests of the other Spanish provinces, the provincial deputation of the Havana, are authorized to approve and carry into effect the tariff which the intendant of the said capital of Havana may form, fixing between the maximum and minimum established by the second article of the decree the duties which foreign goods are to be subject to on importation, and taking particular care to change all that is possible on those whose interference would prejudice the national ones. To reduce or suppress, in conformity to the powers granted them by the 7th article of the organic basis of the general tariff, the duty which the 6th article of the present decree imposes on the exportation of the produce of the island to foreign countries.

The maximum of duties on foreign goods, except tobacco and codfish, 30 per cent ad valorem. The minimum, 2 per cent, for custom-house charges.

American vessels clearing out for Havana, or any port in Cuba, must procure certificates from the Spanish consul; and Americans intending to land, must procure a passport at the port of departure from the United States.

For weights and measures, vide page 35.

For moneys, vide page 65.

PORTO RICO.

The general regulations here are similar to those of Cuba. This island is not a place of deposit.

FRENCH POSSESSIONS.

The islands belonging to France, are Gaudaloupe, Martinico, part of St. Martins, Mariegalante, and Deseada. The two last islands are not opened to any foreign vessels. In clearing out for these islands, it is necessary to procure the certificate of the French consul.

The currency is the same as in the windward islands, vide page 66.

Accounts are kept also in livres of 20 sols or 240 deniers.

The British weights and measures are used, as well as those of France.

104 lbs. of these islands, equal 112 lbs. United States.

In consequence of the commercial difficulties between the United States and France, the trade with these islands has been broken off; it will probably commence under the treaty lately concluded subject to new regulations. Business is done at these islands for cash; the commission merchant generally sells for a credit, but settles with the master for cash or good bills, or produce.

Commissions on sales, are 5 per cent.

Do. on purchases, 2½ per cent.

St. Martins, 15 miles north-west of St. Bartholomews, 19 miles long and 14 broad, is held jointly by the French and Dutch governments. The French part being a dependance of Guadaloupe; and the Dutch being subject to the authority of St. Eustatius.

The plantations here are very handsomely laid out. The Dutch part of the island, though by far the handsomest portion, is not so fertile as the French; nor is agriculture so well attended to in the first as last, if we except Cul de Sac, where the sugar estates vie with those of St. Croix, Barbadoes, and Antigua. In this quarter of the island the best planters reside: and the sugar manufactured here is, generally, superior to that made in any other part of the country.

The principal towns are Phillipsburg, the Dutch metropolis—and Mary-gut, the residence of the French commandant, and other public officers. Phillipsburg is located on a sand bank, on the south side of the island; contains a few neat buildings, a great number of small houses; the population may possibly amount to 3000, including slaves and free people of colour. The police and custom-house regulations are pretty much like those of St. Eustatius, though the public officers are generally more addicted to extortion. Few Americans go here, as supplies can be procured very easily from St. Bartholomews and St. Eustatius, to which ports their produce is shipped.

The few vessels that trade here barter their cargoes for sugar, rum, &c. there being little or no money in circulation. The merchants here are generally correct dealing men.

The capital of the French part of St. Martin's is Mary-gut, situated on the west side of the island. The French part is divided into four districts, viz.—Mary-gut, Columbiu, Grand-Case, and Quartier D'Orleans; of these, Columbiu is the handsomest and most fertile; and here, as in Dutch Cul de Sac, agriculture is well attended to, and the sugar is of a quality nearly equal to that of St. Kitts or St. Croix.

In St. Martins, the duties on imports in foreign vessels, are $1\frac{1}{2}$ per cent. ad valorem, except on beef, pork, and salt-fish, which pay an additional duty of 3 francs per half metrical quintal. Sugars and cotton, exported in foreign vessels, pay 10 francs 80 centimes 1000 weight. Molasses, rum, and tafias, pay 3 per cent. on exportation.

Port Charges.

In Martinique, Guadeloupe, and the French part of St. Martins.

	Clearance.	Pilot. & Anch.	Interpreter.	Health officer
Vessels of 50 tons and below,	21 fr. 60 cen.	27 fr. 0 cen.	16 fr. 20 cen.	5 fr. 40 cen.
From 50 to 100 tons	25 20	32 40	21 60	8 10
100 to 150 tons	32 40	43 20	27 00	8 10
150 to 200 tons	43 20	54 00	34 43	10 80
Above 200 tons	54 00	64 80	43 20	13 50

Strange vessels, standing off and on without coming to, are liable to pay 10 fr. 90 c.—though that is deducted from the port charges, if they afterwards come to.

In Guadeloupe and Martinique the importation of flour, soap, candles, butter, and lard is prohibited.

DUTCH POSSESSIONS.

These are the remaining part of St. Martins, St. Eustatius, and Saba.

St. Eustatius, 25 miles S. W. by S. of St. Barts, is not more than 6 miles long and about $3\frac{1}{2}$ broad. The government is in the hands of a governor, appointed by the king, and a council chosen by the inhabitants. This body has the right of legislation and judicature. This island has almost the same political and commercial regulations as St. Barts; but St. Barts has considerable advantage in respect to its harbour, which is better calculated in every respect for landing, shipping, and transshipping of goods. St. Eustatius has but an open road, liable to heavy swells, and ground seas, which often very much impede the transacting of business; vessels being frequently obliged to quit their anchorage, and seek safety in putting to sea.

Foreign vessels are permitted to trade with St. Eustatius and Curagoa, on paying 5 per cent. more on the duties on imports and exports than Dutch vessels. It is understood at the custom-house that not more than half of the cargo is cleared, but we do not know how this custom originated.

All exports from the colonies, except Surinam, to the Netherlands, pay the same duties upon their arrival as the same articles from other places. Exports from Surinam to Holland are free; the trade being confined to Dutch vessels.

For moneys, vide Dutch settlements, page 66.

The coins of the Netherlands circulate at an advance of 20 per cent.

For weights vide Amsterdam, and measures vide the United States.

Commissions on sales and purchases are $3\frac{1}{2}$ per cent. each.

No import duties are charged on American produce or manufactures in St. Eustatius.

Three per cent. ad valorem is paid on the exportation of sugar, which is never valued beyond 5 pieces of eight per cwt.

The import duties at St. Martins are $2\frac{1}{2}$ per cent. ad valorem.

The export duties on sugar are two dollars, good money, per 10 cwt.

The commerce with these places consists in the exchange of the produce or
3 K.

manufactures of the United States for the produce of the islands; scarcely any specie being in circulation.

In the Dutch part of St. Martins, an anchorage duty is paid of about 5 cents per ton. The port charges in all the islands are very light.

At St. Eustatius great facilities are afforded to American vessels to transship their cargoes to the neighbouring islands.

DANISH POSSESSIONS.

The islands belonging to Denmark are St. Thomas, St. John, and Santa Cruz.

St. Thomas is a small but fertile island, about 12 leagues east of Porto Rico, and its exports include those of St. John. It has a safe and spacious harbour or road on the S. E. side of the island.

The port charges and duties are trifling, it being a free port. Commissions on sales and purchases are two and a half per cent.

Santa Cruz lies north of St. Thomas, and has 346 plantations.

Its exports are chiefly sugar and cotton. Its imports, American manufactures.

American vessels are admitted to trade here, but not upon the same terms as Danish vessels.

At Christianstaed, or Bass end, the chief town, your pilotage is two pieces of eight, or 128 cents, per foot in, and the same out.

Custom-house Duties.

The export duty on sugar is $7\frac{1}{2}$ per cent.—extra duty 10 st. per 100 pounds. Stamp, 6 pieces of eight.

Custom-house fees, 8 per cent. on the duty.

Stamp for weigh bill, one st. per bill.

Brokerage here is two per cent.

At Fredrickstaed, the town on the west end of the island, you do not need a pilot.

For weights and measures, vide Denmark, page 29.

For moneys, vide page 66.

Only a proportion of the export cargo is allowed to be made in sugar.

SWEDISH POSSESSIONS.

St. Bartholomews, a small island, lying in lat. $17^{\circ} 54'$ N. long. $62^{\circ} 40'$ W. originally belonging to the French, but by them ceded to the Swedish crown, about 40 years ago, was formerly a place of considerable trade, chiefly carried on with the United States, from whence there are considerable importations of flour, rye, corn, and every article of American growth and manufacture. These are sold for cash or bartered for rum, molasses, sugar, coffee, and other West India productions. The island is about 12 miles long and 4 broad, and possesses little or no natural advantages, being very barren and rocky. It produces only a few leguminous and other vegetables, barely sufficient for the use of its inhabitants. The harbour, which opens to the north-west, is safe and commodious.

St. Bartholomews is the only island belonging to Sweden, and is a free port. No duties are charged on the importation of produce or manufactures of the United States, except on dry goods, on which 3 per cent. are paid.

The export duties on American and European articles are $1\frac{1}{2}$ per cent. ad valorem.

Port charges, including anchorage, harbour master's fees, &c. do not exceed one dollar and fifty cents per 100 tons.

The French weights and measures are used.

The moneys are dollars and doubloons, when good money is agreed for; but

when currency, 4 twenty-cent pieces pass for a dollar. Accounts are kept in pieces of eight, rials, and stivers, and also in dollars and cents.

The commissions on sales and purchases are $2\frac{1}{2}$ per cent each.

Here are a few very wealthy capitalists; but the generality of commercial men are merely commission agents—Americans, West Indians, and Frenchmen. Cargoes are sold for cash, or colonial produce, to be delivered at the option of the parties, never longer, however, than 30 days.

Upon giving one or two doubloons to some of the brokers, an American captain may retail his cargo on board, without any interference on the part of the governor; though the present governor is apt to take advantage of the necessities of foreigners, to extort from them as much as he can get.

WESTERN ISLANDS.

These islands belong to Portugal, and are nine in number, viz. Corvo, Fayal, Flores, Grátiosa, Pico, St. George, St. Mary, St. Michael, Terceira. They are situated in the Atlantic, between the parallels of $39^{\circ} 30'$ and $37^{\circ} 00'$ N. lat. and $25^{\circ} 00'$ and $31^{\circ} 30'$ W. long.

Their exports are wine, coffee, and fruits, Their imports are rice, fish, tar, staves, lumber, iron and East India goods.

For weights, measures, and moneys, vide Lisbon.

Masters should be careful in clearing out for any of the Azores to comply with the following directions:

The manifest of the cargo, bills of lading, and custom-house clearance, should be accompanied by a certificate of their authenticity from the Portuguese consul of the district from whence the vessel shall have taken her departure. These papers must be attached together, numbered, and countersigned by the consul, so as to prevent the possibility of a substitution, and the whole must be addressed by him (under cover) to the judge of the custom-house of the port to which the vessel may be destined. It is provided, that in case of there being no Portuguese consul in the district from whence the vessel shall depart, the papers before mentioned must be duly authenticated by the highest officer in the custom-house department, and the fact of there being no Portuguese consul in that district, also certified by him. The non-observance of these regulations will prevent any vessel from being admitted to an entry in any of the custom-houses in the Azores.

A decree of the Cortes of Portugal prohibits the introduction of all spirituous liquors, (pure French brandy excepted,) and no vessel, having any on board, will be admitted to an entry.

CHAPTER XXIX.

WRECKS.

MASSACHUSETTS.

Commissioners, who give bonds for the faithful discharge of their duty, are appointed by the governor in the several counties on the sea-board, whose duty it is to repair to the place where any wreck or shipwrecked property is, immediately upon receiving information thereof, and to take charge of the same; to make an inventory; and to deliver the property to the owner or his authorized agent. For doing this, he is to be paid by the owner. If they cannot agree, the compensation is to be fixed by arbitration. If any person, unauthorized by

the owner or commissioner, meddle with the property after the arrival of the commissioner, he shall forfeit \$1000.

Advertisement of the particulars of the shipwreck and of the goods must be inserted in the nearest newspaper, under the penalty of fifty dollars.—Within 30 days so much of the goods shall be sold as will pay the duties; the remainder shall be kept one year, unless it be perishable, when it shall be sold after 60 days after advertisement of the sale.

If no owner appear within one year, the inventory, or if sold, the account of sales, are to be handed to the state treasurer, and the proceeds paid over to him. The commissioner may be compelled to do this by action.—Act of March 2d. 1815, 4th vol. Massachusetts's laws, 468.

CONNECTICUT.

The selectmen of the nearest town to any wreck or shipwrecked property shall take effectual measures to save and secure the same. If the owner claim it within a year and a day, it shall be restored to him upon his paying reasonable salvage and expenses: if not, it shall be sold, and after paying expenses and salvage, the proceeds shall be paid into the state treasury. If the property be perishable, it may be sold at any time within that time.—Rev. laws, 492.

The wilful burning of any vessel, the property of another, or the destroying any vessel with intent to defraud the underwriters, subjects the offender to 7 years imprisonment in Newgate.—Rev. laws, 155.

NEW-YORK.

The sheriff, coroner, and the wreck-masters, in the maritime counties, are enjoined to aid and assist in saving and securing the cargoes of any vessel cast ashore, for which they shall have a reasonable salvage. If any person shall secrete or convert to his own use any shipwrecked goods, they shall forfeit double the amount to the owner, and be further punished by fine or imprisonment for the misdemeanor. The goods saved are to be kept by the sheriff, coroner, or wreckmaster, for a year and a day, to be restored to the owner if he should call within that time, he paying expenses, &c. At the end of that time they are sold at public vendue, and the proceeds paid into the public treasury.

If goods, of which any person has been robbed at sea, are brought into the state, they may be recovered at law.—1st vol. Rev. laws, 68.

The wilful burning of vessels or goods, for the purpose of defrauding the insurers, is punished with imprisonment for life in the State Prison.—3d vol. 129 c.

NEW-JERSEY.

Commissioners, for each district on the seaboard, are appointed by the courts of common pleas in the counties on the seacoast, who give bonds with 2 sureties in a sum from 5000 dollars to 20,000, and are sworn to the faithful performance of their duty. Their duty is, upon application to them by the owner or any other person having charge of a vessel or cargo cast on shore, or in danger thereof, to employ as many men as shall be agreed upon between him and the owner or other person, to assist in the preservation of the vessel or cargo; which men are to be under the direction of the owner or person having charge of the said vessel or cargo.

The compensation of the commissioners, and persons employed by them, is to be settled by two freeholders, one chosen by the owner, the other by the commissioner, with power in them, in case of disagreement, to choose a third person, whose decision may be appealed from within 15 days by the owner or person having charge of the vessel; and the court shall, at the next term, hear and decide thereon in a summary way.

Until this compensation is paid, or security given therefor, the property shall remain in the possession of the commissioner. In case of appeal, the vessel and cargo may be released upon payment of the sum awarded to the commissioner, who shall restore whatever may be taken therefrom, by the judgment of the court of common pleas. If the compensation be increased, judgment shall be given against the owner for the increase and execution issued.

The commissioners shall not dispose of any part of the cargo or vessel when there is any owner or insurer, supercargo, master or agent present. They shall make and subscribe an inventory of the property saved, before it shall be removed, describing the numbers and marks on the packages and casks, and the kind of goods or liquors therein contained, if it can be done without injury to the goods, or unnecessarily breaking the packages, and the quantity thereof. This inventory is to be transcribed into a book, subject to be inspected by any person interested, and to be called for by the court of common pleas.

If any person, unauthorized by the commissioner, shall attempt to board any vessel in distress, without leave of the person having charge of her, or shall molest any person in saving the same, or shall wilfully deface any mark on any part of the cargo, before the above inventory shall be made, he shall forfeit 100 dollars, to the use of the owner; and if he shall not pay the same within 20 days, shall be imprisoned for any time not exceeding six months.

If any goods stolen, or unlawfully taken from a wreck, shall be found in possession of any person, they shall be restored to the owner, or his agent, upon demand, and the person, in whose possession they shall be found, shall be liable to pay double the value thereof.

Should no person be present to claim the property for the owner or insurer, the commissioner shall take possession thereof, and make an inventory as above: which, together with a description of the vessel, shall be advertised for 4 weeks, in one or more newspapers in New-Jersey; and if the value of the goods exceed 500 dollars, in one newspaper in New-York, and in another in Philadelphia, for the same time. If no person claim them within a year, the same shall be advertised at two or more places within the county, not less than 10 nor more than 20 days; and afterwards shall be sold at public auction. The proceeds, after deducting expenses and compensation, to be settled by a judge of the common pleas, shall be paid into the public treasury, to be kept for the owner for two years from the date of the first advertisement, deducting one per cent. After that time, to go to the state. If the goods are perishable, they may be sold after being advertised, at two places within the county, not less than five days.

If stranded goods are found, above the value of 20 dollars, information must be given to the commissioner of the district, for which the finder is allowed his reasonable expenses. If he conceal or convert the stranded goods to his own use, or does not give information as above within 4 days, he shall pay to the commissioner double the value of the goods, out of which the owner is entitled to be compensated for all the damage he may have suffered by reason of the conversion or failure to give information, in case he claim his property within a year from the judgment against the offender.

Persons stealing or embezzling stranded goods, shall forfeit double the value of the property stolen or embezzled, and shall be liable to be punished as in other cases of theft or receiving stolen goods.

If the commissioner be guilty of fraud, connivance, or wilful neglect, he shall pay to the aggrieved party double the damage sustained, and be incapacitated from office.

If any person shall refuse to give assistance when required by the commissioner, he shall forfeit five dollars.

If any lights be put up for the purpose of decoying vessels into danger, the person so doing shall be fined not exceeding 1000 dollars, or imprisoned not more than three years, or both.

No person, related within the third degree to the person claiming compensation, and no person who has received compensation for saving any vessel or cargo within 3 years, shall be eligible to adjust the compensation as aforesaid.

The unclaimed money in the public treasury, is paid into the common school fund.—New-Jersey laws, 716.

MARYLAND.

A wreckmaster is appointed by the governor, who gives a bond and security to the amount of 1000 pounds for the faithful performance of his duty.

His duty is, upon application made to him by any person in behalf of any vessel in distress, to proceed to her assistance with as many men as may be necessary; and if a vessel belonging to a citizen of Maryland be near, he may take such boats and men as can be spared from her, for the assistance of the vessel in distress, under penalty, in case of refusal, of 100 pounds, to be paid by the master.

If no person claim the goods, the wreckmaster shall take possession of them and make an inventory thereof, with a true description of the marks, numbers, and kinds of goods, which shall be inserted for four weeks in the Easton, Baltimore, and Philadelphia papers. If they are not claimed within 3 months, they shall be sold at public auction, (but if perishable, they may be sold forthwith,) and the proceeds, after deducting expenses, &c. shall be paid to the state treasurer for the benefit of the owners.

The compensation of the wreckmaster shall be determined by the county court, or orphan's court, but not to exceed 20 per cent. of the property saved.

The amount of salvage to be paid to those employed by him, shall be determined by an associate justice of the county in a summary way, upon the master's request, the parties having 5 days notice of the time and place of trial. An appeal lies to the chief-justice, if made within ten days, by whom it must be determined in 30 days. If the amount be not paid within 30 days after the decision, the wreckmaster may sell as much of the cargo for that purpose as may be necessary.

If any person besides those authorized, attempt to enter a vessel in distress, without leave of the master, or if any person molest and endeavour to hinder those employed in assisting her, or deface the marks of the goods before the wreckmaster shall have made his inventory, he shall forfeit £50 to the owner; in case of non-payment, to receive 39 lashes.

The commander or master may repel any such person by force. Persons in whose possession goods stolen or embezzled from a wreck shall be found, shall deliver them to the owner, wreckmaster, or the agent of one of them, upon demand, or pay four times the value.

If the wreckmaster is guilty of fraud or negligence, he shall forfeit four times the damages to the party aggrieved, and be incapacitated.

If any person shall refuse or neglect to assist upon being summoned, he shall forfeit 10 pounds, and be liable to the same damages.

If any person shall make a hole in a vessel, steal a pump or goods from a vessel in distress, or wilfully do any thing tending to her immediate destruction, he shall suffer death.

The goods remain in the possession of the wreckmaster until the expenses and salvage are paid or secured.

VIRGINIA.

Two commissioners are appointed by the governor in each county on the sea-board, who shall each give bond and security in the sum of 1000 pounds, Virginia currency, for the faithful performance of their duty. Their duty is, upon hearing of any vessel's being stranded or in danger thereof, to summon as many men as may be necessary, and to repair to the assistance of the said vessel. If any person besides those employed by the commissioner shall attempt to enter the vessel, he may be repelled by force, and he is also liable to a penalty of 10 pounds. Any person molesting those employed in saving goods from the wreck, or any person defacing the marks upon the goods before an inventory is made, shall forfeit 10 pounds. In case any goods, stolen or embezzled, are found in the possession of any person, he shall forfeit treble the value thereof. Persons refusing to assist, when summoned by the commissioner, shall forfeit 25 shil-

lings, and be liable also for treble damages to the owner. The goods saved are retained by the commissioner until the expenses and salvage are paid. If the owner and commissioner disagree as to the amount of compensation, the dispute shall be submitted to the decision of two indifferent persons, chosen by the parties, whose decision shall be final.

If no person claims the goods, the commissioners take possession of them; make an inventory, with a true description of the marks, numbers, and kinds of the goods, which shall be published four weeks in the state paper, or as it is called in the statute the Virginia Gazette. If the goods are not claimed within three months, they are sold at public auction, (if the goods are perishable they may be sold immediately,) and the proceeds, after deducting charges, &c. paid into the public treasury for the use of the owner.

If any person shall wilfully contribute to the destruction of a vessel, or steal from a vessel in distress, he shall suffer death.

If commissioners be guilty of fraud, or wilful neglect, they shall pay treble damages, and be incapacitated from being a commissioner.—Rev. Laws, 1st vol. page 12.

NORTH CAROLINA.

This state is divided into wreck districts, viz. Currituck county, 7 districts—1st, from the Virginia line to Judy's cove; 2d, from do. to Caffey's inlet; 3d, from do. to Killyhank bay; 4th, from do. to New inlet; 5th, from do. to the Bald beach, south of Chickamicomico; 6th, from do. to the Cape creek, near the light house; 7th, thence to Carteret county line. Carteret county, 3 districts—1st, from the county line to Cedar inlet; 2d, thence to the old Topsail inlet; 3d, thence to Bogue inlet. Onslow county, 2 districts—1st, thence to New River inlet; 2d, thence to the New Hanover line. New Hanover county, 2 districts—1st, from the new Topsail inlet to Masenborough inlet; 2d, thence New Brunswick county line. New Brunswick county, 2 districts—1st, from New inlet to Lockwood's folly; 2d, thence to S. Carolina line.

In each of these districts a wreck commissioner is appointed by the governor, who is sworn, gives a bond, &c. with two sufficient sureties, in the amount of 15,000 dollars, for the faithful performance of his duty. This commissioner must not be an officer of the United States.

It is the duty of the commissioner, upon application made to him by any person on behalf of any vessel in danger of being stranded, to command a sheriff or constable to summon as many men as may be necessary for her assistance, who shall obey the summons under the penalty of 40 shillings, and who are to be under the direction of the master or owner. Where there is an owner, consignee, supercargo, or captain present, the commissioner is to assist him as he may direct, for which he is to be paid over and above his salvage, and shall not undertake to sell the property. For the services of the commissioner and men employed, they shall be paid within 40 days, and in default thereof the property saved shall remain in the custody of the commissioner. If the parties disagree as to the amount of the reward, it shall be determined by two indifferent persons, to be chosen one by each party.

If any person attempt to enter a vessel in distress, without being authorized by the commissioner, or by leave of the master or owner; or if any person shall molest them in saving the vessel or goods, or deface the marks or the goods before an inventory be taken, they shall forfeit 100 pounds to the owner.

If any goods, stolen or carried from a wreck, be found upon any person, he shall deliver them upon demand to the owner or commissioner, or the agent of one of them, or forfeit treble their value.

If no person be present to claim the property wrecked, the commissioner shall take possession thereof, and make an inventory, with a true description of the marks, numbers, and kinds of goods, which shall be published in a public gazette 8 weeks; and if the goods are not claimed within 12 months, they shall be sold. If perishable, they may be sold after advertisement in two places within the county, not less than 10 nor more than 20 days. If the value thereof exceed 1000 dollars, the advertisement must be published in some newspaper.

and one other public place, except of such part as requires immediate sale. The proceeds, after deducting reasonable charges, shall be paid to the clerk of the county for the owner. If the amount exceed the amount of the clerk's bond, then it shall be paid to the clerk of the district where the vessel was stranded.

If the proceeds are not claimed within a year and one day, they shall be paid, after deducting one per cent, to the treasurer for the use of the state.

If any person find stranded property, he must immediately give information thereof to the nearest commissioner, and deliver it to him, for which he shall receive reasonable salvage, to be ascertained as above. If he convert the same to his use, or fail to give information thereof within 10 days to the nearest commissioner, he shall forfeit double its value.

If any person shall embezzle or steal any stranded property, or conceal it, knowing it to have been stolen, he shall forfeit double its value, and be liable to a prosecution as in cases of theft.

The commissioner is entitled to 5 per cent. in full for all services in cases of wrecked or stranded property, where no owner appears.

If any commissioner be guilty of fraud or wilful neglect, he shall pay treble damages to the party aggrieved, and be incapacitated.

The commissioner shall advertise and sell the property at public auction, unless the captain, owner, supercargo, or consignee, shall choose to superintend the sale himself, or to remove it without selling. The commissioner must record all sales, and deliver to the party concerned a true account thereof. He is entitled for the sale, &c. 2½ per cent. on the amount.—Hayward, 668.

GEORGIA.

Plundering from a wreck or vessel, in distress, is punished by confinement, at hard labour, for a term not less than one nor more than 5 years.

If any person shall wilfully set fire to any vessel above the value of 200 dollars alongside of any wharf, or at anchor in any river, or within any of its waters, or assist therein, he shall pay a fine not exceeding 1000 dollars, and be imprisoned for a term not exceeding ten years.

APPENDIX.

SEVERAL articles not having been completed in season to be inserted in their proper places, are here thrown together in an Appendix.

CUSTOM-HOUSE REGULATIONS.

Unloading Vessels.

By a law, passed March 3d, 1821, it is enacted, that when a vessel, arriving with a cargo from a foreign port, exceeds 300 tons burthen, 20 days, besides Sundays, shall be allowed for unloading such vessel from the report of her arrival.

Sea Letter.

By a law passed March 26th, 1810, it is provided, that no sea-letter, or other document proving any vessel to be American property, shall be issued after the 30th of June, 1810, except to vessels duly registered, enrolled, or licensed; or to vessels wholly owned by citizens, and then furnished with or entitled to sea-letters or other custom house documents, or if not furnished, shall arrive in the United States before said 30th of June.

By this act, which is mentioned in page 165, the privileges of ships, entitled by the act of 31st December, 1792, to certificates of ownership and to be recorded, are taken away. These parts of that law, therefore, are obsolete, or not acted upon at the custom-house.

An act concerning the commerce and navigation of East Florida.

Passed March 30, 1822.

Sec. 1. Any vessel possessed of, and sailing under a Spanish register, on the 10th day of July, 1821, and continuing to belong wholly to a citizen or citizens of the United States, then residing within the territories ceded to the United States by the treaty of the 22d of February, 1819, between the United States and the King of Spain, the ratifications of which were exchanged on the 22d of February, 1821, or to any person or persons being, on the said 22d day of February, an inhabitant or inhabitants of the said ceded territory, and who continue to reside therein, and of which the master is a citizen of the United States or an inhabitant as aforesaid, may be registered, enrolled, and licensed, in the manner prescribed by law; and being so registered, enrolled, and licensed, shall be denominated and deemed a vessel of the United States, and entitled to the same privileges and benefits: Provided, that it shall be lawful for the collector, to whom application shall be made for a certificate of registry, enrolment, or license, by any citizen or inhabitant as aforesaid, to make such variations in the forms of the oaths, certificates, and licenses, as shall render them applicable to the cases herein intended to be provided for: And provided also, that every such inhabitant, applying as aforesaid, shall, prior to his being entitled to receive such certificate of registry, enrolment, or license, deposit with the collector the register and other papers under which such vessel had been navigated; and also take and subscribe, before the collector (who is hereby authorized to administer the same) the following

Oath of Allegiance.

I, A. B., do swear (or affirm) that I will be faithful and bear true allegiance to the United States of America, and that I do entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state, or sovereignty whatever, and particularly to the King of Spain."

Sec. 2. The inhabitants of said ceded territory, who were residents thereof on the said 22d day of February, and who shall take the said oath, and who continue to reside therein, or citizens of the United States resident therein, shall be entitled to all the benefits and privileges of owning ships or vessels of the United States, to all intents and purposes as if they were resident citizens of the United States.

Collection District.

By an act of the last session of Congress, the Alabama, Middle and Tensaw rivers in the state of Alabama, all the shores and waters on the east side of the Bay of Mobile, and all the rivers of the said state emptying into the Gulf of

Mexico to the east of the said bay, are formed into a separate district, named **BLAKELY**, of which Blakely is the sole port of entry.

Post Office Law.

No ship or vessel from foreign ports, or coming by sea from any port of the United States, shall be permitted to report, make entry, or break bulk, till the master shall deliver to the post-master all letters under his care, or within his power, other than such as are directed to the owner or owners of such ship or vessel, and except also such as are directed to be delivered to the port of delivery, to which such ship or vessel may be bound. An oath or affirmation is taken of such delivery. The master receives two cents for each letter so delivered.

Form of the Oath.

I do solemnly that I have delivered to the post-master of this city, all letters directed to any person or persons within the United States, which under my care or within my power have been brought in the myself master, from those directed for the owner or owners, consignee or consignees of the said vessel, and persons residing in this city, excepted. So help me God.

This law must be complied with, under the penalty of 100 dollars.

TREATY WITH FRANCE.

Since the printing of the first part of this work, a treaty has been concluded at Washington between the United States and France, in which it is agreed, that,

Art. 1. Articles of the growth, produce, or manufacture of the United States, imported into France in vessels of the United States, shall pay an additional duty, not exceeding 20 francs per ton of merchandise, over and above the duties paid on the like articles, also of the growth, produce, or manufacture of the United States, when imported in French vessels.

2. Articles of the growth, produce, or manufacture of France, imported into the United States in French vessels, shall pay an additional duty, not exceeding 3 dollars and 75 cents per ton of merchandise, over and above the duties collected upon the like articles, also of the growth, produce, or manufacture of France, when imported in vessels of the United States.

3. No discriminating duty shall be levied upon the productions of the soil or industry of France, imported in French bottoms into the ports of the United States for transit or re-exportation.

Nor shall any such duties be levied upon the productions of the soil or industry of the United States, imported in vessels of the United States into the ports of France for transit or re-exportation.

Article 4th relates to the ton of merchandise—Vide page 381.

5. The duties of tonnage, light-money, pilotage, port charges, brokerage, and all other duties upon foreign shipping, over and above those paid by the national shipping in the two countries respectively, other than those specified in articles 1 and 2 of the present convention, shall not exceed, in France, for vessels of the United States, five francs per ton of the vessel's American register; nor for vessels of France, in the United States, 94 cents per ton of the vessel's French passport.

6. The contracting parties, wishing to favour their mutual commerce by affording in their ports every necessary assistance to their respective vessels, have agreed that the Consuls and Vice-consuls may cause to be arrested, the sailors, being part of the crews of the vessels of their respective nations, who shall have deserted from the said vessels, in order to send them back, and transport them out of the country. For which purpose the said Consuls and Vice-Consuls shall address themselves to the courts, judges, and officers competent, and shall demand the said deserters in writing—proving, by an exhibition of the registers of the vessel, or ship's roll, or other official documents, that those men were part of the said crews; and on this demand so proved, (saving, however, where the contrary is proved,) the delivery shall not be refused: and there shall be given all aid and assistance to the said Consuls and Vice-Consuls, for the search, seizure, and arrest, of the said deserters, who shall even be detained and kept in the prisons of the country, at their request and expense, until they shall have found an opportunity of sending them back. But, if they be not sent back within three months, to be counted from the day of their arrest, they shall be set at liberty, and shall be no more arrested for the same cause.

7. The present temporary convention shall be in force for two years from the first day of October next, and even after the expiration of that term, until the conclusion of a definitive treaty, or until one of the parties shall have declared its intention to renounce it; which declaration shall be made at least six months before hand.

And, in case the present arrangement should remain without such declaration of its discontinuance by either party, the extra duties specified in the 1st and 2d articles, shall, from the expiration of the said two years, be on both sides diminished by one-fourth of their whole amount, and afterwards by one-fourth of the said amount from year to year, so long as neither party shall have declared the intention of renouncing it, as above stated.

Article 8 relates to the ratification of the treaty.

Separate article.—The extra duties levied on either side before the present day by virtue of the act of Congress of the 15th May, 1820, and of the ordinance of the 26th July, of the same year, and others confirmative thereof, and which have not already been paid back, shall be refunded.

It is agreed that the extra duties, specified in the first and second articles of this Convention, shall be levied only upon the excess of value of the merchandise imported, over the value of the merchandise exported in the same vessel upon the same voyage: so that if the value of the article exported shall equal or exceed that of the articles imported in the same vessel (not including, however, articles imported for transit or re-exportation) no such extra duties shall be levied; and if the articles exported are less in value than those imported, the extra duties shall be levied only upon the amount of the difference of their value. This article, however, shall take effect only in case of ratification on both sides; and not until two months after the exchange of ratifications. But the refusal to ratify this article, on either side, shall in no wise affect or impair the ratification or the validity of the preceding articles of this convention.

Pursuant to the power vested in the President by the act of Congress, a proclamation has been issued suspending the operations of the act imposing a tonnage duty on French vessels until the end of the next session of Congress, and all other duties on French vessels and goods, except those stipulated to be paid by the treaty.

VIRGINIA—PILOT LAWS.

Examiners are appointed, who are sworn to execute with impartiality the duties of their office, and to examine all applicants for a pilot's branch. Every pilot gives a bond with security in the sum of \$500, to be sued at the instance of any person who may have been damaged by the pilot's ignorance or carelessness.

The pilots are divided into three classes. The first class may pilot all vessels; the second class, all vessels drawing less than 12 feet; and the third class, all vessels drawing less than 9 feet. The pilots must keep a good boat, of 18 feet keel at least, under the penalty of \$150. No person shall pilot a vessel except he has a branch, under the penalty of \$30, unless the vessel may be in distress, when she must be delivered up to the first pilot offering to take charge of her, the pilot paying to such assistant half pilotage. No more than four pilots shall be in partnership. Every pilot-boat must have her name and port marked ten feet below the head of the foresail, or the owner will not be entitled to his fees. Apprentices, with a copy of their master's branch endorsed by the examiners, may pilot vessels. The pilot first meeting a vessel bound in may take charge of and pilot her into Hampton road, York river, or Mobjack bay; whence any pilot having a branch authorizing him to conduct her to the port of destination, may take charge of her. Each pilot has his legal fees.

If a pilot or his apprentice lose a vessel through negligence or misconduct, the pilot is to be suspended for six months, and is liable for all damages. If the vessel be subject to quarantine, the pilot shall direct her to follow his vessel, and conduct her to the place of quarantine, where he shall notify the superintendent of her arrival, for which the pilot shall be entitled to \$7, besides his pilotage. If the pilot be decoyed on board, and obliged to perform quarantine, he shall be allowed \$3 per day while he shall be detained.

Pilotage for American Vessels.

From sea to Hampton Road, for ves.	\$12 00	To Lead's, or Micon's, per foot,	2 13
To sea from Hampton Road, do.	7 50	To Port Royal, . . . do.	2 97
From Hampton Road, or Seawell's		To Fredericksburg, . . . do.	3 70
Point, to Norfolk or Portsmouth,		From sea to Piankatank, for vessel,	15 00
per foot,	38	To sea from do. . . do.	12 60
To Sleepy Hole, or Lookout, do.	1 03	From Cape Henry to Smith's Point,	
To Pagan Creek, . . . do.	88	on South Petomac, for vessel,	25 00
To Jamestown, . . . do.	1 84	To Cape Henry from do. do.	20 23

To Martin's Brandon,	per foot	2 12	From Smith's Point to Coon or Yeoc-		
To Flower de Hundred,	do.	2 25	mico,	per foot,	0 74
To City Point, or Bermuda Hundred,	do.	2 87	To Machadock,	do.	0 84
To Four-Mile Creek,	do.	3 48	To Upper do.	do.	1 12
To Osborne's,	do.	3 87	To Nanyoung,	do.	1 37
To Warwick,	do.	4 34	To Boyd's Hole,	do.	1 47
To Richmond,	do.	4 63	To Quantico,	do.	1 58
From sea to Yorktown, for the vessel,	12 00		To Occogan,	do.	1 78
To sea from Yorktown,	do.	7 50	To Piscataway,	do.	2 10
From Back River, or Egg-Island, to			To Alexandria,	do.	2 48
Yorktown, for the vessel,	6 00		To the Eastern Branch,	do.	2 62
From Yorktown to West-Point, per ft.	1 33		And the same rates outwards.		
To Cumberland,	do.	1 63	Foreign vessels pay $\frac{1}{4}$ in addition to the		
To the highest landing on Pamunkey			above.		
river,	do.	2 07			
To Shephard's,	do.	1 47	<i>For Ships of War above 50 guns.</i>		
To Meredith's, or the highest land-			From Cape Henry to Hampton Road	\$20 00	
ing on Mattaponi,	do.	1 97	To Yorktown,	24 00	
From Cape Henry to any river on			<i>For Ships of War above 20 guns.</i>		
Mobjack Bay, for the vessel,	12 00		From Cape Henry to any river on		
From Mobjack Bay to sea, do.	7 50		Mobjack Bay,	25 00	
From the Capes to Urbana, do.	15 00		To Smith's Point,	45 00	
From Urbana to sea, do.	12 00		To Hampton Road,	15 00	
To Tappahanock, per foot,	1 40		To Yorktown,	18 00	
To Naylor's Hole, do.	1 38		And the same outwards.		

The above fees on inward bound vessels are allowed only when they are boarded by a pilot without the Capes of Virginia, or opposite to them. If boarded within the Capes, they are obliged to pay but half pilotage into Hampton road. If the fees are not paid by the master, the consignee is liable.

Coasters drawing less than 9 feet water need not take a pilot; but if they want one, they must hoist a signal, and a pilot must repair on board; and for piloting such vessel inwards, he is entitled to double pilotage. Licensed coasters drawing 9 feet water must take the first pilot who offers below the Horse Shoe, or he is liable to pay half-pilotage to the first port of destination. Coasters drawing 9 feet water, outward bound, must take a pilot who offers his services, or pay half-pilotage.

Masters must give reasonable notice of the time and place where the pilot is wanted; and the pilot shall attend, and is entitled to \$1 75 for every day he shall be detained by the vessel's not being ready to proceed. The same sum is allowed to a pilot detained in Hampton road after a fair wind offers for going to sea. Vessels dropping down into Hampton road, and not intending to sail immediately, may discharge the pilot. Pilots refusing or neglecting to perform their duty, are answerable for damages. Pilots carried to sea are allowed the same wages as the mate of the vessel. A pilot attending by request with his boat is entitled to \$7 per day. Outward bound vessels must receive a pilot if one offers. Pilots must carry a copy of the pilot law, and produce it to the master, if requested so to do. If they demand or receive any greater fees than allowed by law, they shall forfeit double the amount. No negro or mulatto can be a pilot.

COMMERCIAL REGULATIONS.—SPAIN.

Only one duty is hereafter to be received, instead of the various duties formerly existing, to be paid in rials vellon; Castile weights and measures are used at the custom-house.

Imports.—The maximum on foreign goods, except tobacco and codfish, is 30 per cent. The minimum, 2 per cent. for custom-house charges.

Exports.—The maximum on Spanish goods, is 10 per cent., minimum, 2 per cent. for custom-house charges.

Custom-House.—The ports of the 1st class, are allowed to receive all lawful goods, the duties, and the custom-house charges, payable on effecting sales. If they are sent to any other port in the peninsula, 2 per cent. as above, is paid, and 1 per cent. on clearing out for Spanish America.

All foreign vessels pay one third more. Goods imported for sale, pay only the duty: if placed in a depot, they cannot be sent to another, but are subject to the duty, and 3 per cent. charges on removal to another port.

Foreign goods imported into the ports of the first class for exportation to South America, are not subject to these charges. They may pay the same duty on being reshipped, as if consumed in Spain; but if not paid until they arrive at their destined port, 25 per cent. is added to the duty. Goods shipped in

a foreign port for South America, are subject to an augmentation of 50 per ct. on the duty, besides the one-third more on goods in foreign vessels.

Foreign vessels can bring only the produce of their respective countries, and in vessels above 80 tons burthen.

The following places are called ports of deposit of the first class; where goods may be landed and reshipped within a year, paying only 2 per cent, viz:—St. Sebastians, Bilbao, Santander, Corunna, Vigo, Cadiz, Malaga, Alicante, Tarragona, and Barcelona in the peninsula; †Valparaiso, †Arica, †Lima, †Guayaquil, Porto Cabello, †Panama, †Acapulco, St. Blas, †Buenos Ayres, Guyana, †Carthage, †Porto Bello, Omoa, Campeachy, †Vera Cruz, Havana, in America and Manilla.

† These ports no longer belong to Spain.

Foreign vessels are admitted in all ports of the Spanish monarchy in the same manner, and upon the same terms as Spanish vessels are admitted in the ports of the nation, to which they respectively belong. 1st. When they enter a Spanish port for shelter or supplies; in which case, they are treated as Spanish are in the ports of their flag, recovering or not with the strictest reciprocity the duties of tonnage, anchorage, &c. 2d. When they bring admissible goods, the produce of their own country.

Decree of the Spanish Cortes.

The Spanish Cortes have decreed, that the following ports, viz. St. Sebastians, Bilbao, Santander, Corunna, Cadiz, Malaga, Barcelona, and St. Cruz of Teneriffe, are henceforth to be the only ones where prohibited goods may be deposited, with the exception, however, of foreign cocoa, sugar, cochineal, indigo, coffee, corn and flour, which are declared inadmissible. The packages of prohibited goods must weigh at least four arrobes; and the vessels, either national or foreign, bringing the same, must be upwards of 100 tons burthen. The deposit duty on those goods will be the same as that laid on unprohibited ones. Prohibited goods cannot, on any account, be allowed to remain longer than a twelve-month in the place of deposit. They may be re-exported under any flag, provided the vessels employed for that purpose, be at least 110 tons burthen if foreign, and 60 if national. In addition to the deposit duty, the prohibited goods, re-exported in the former, will pay a transit duty of one per cent.; but if the goods be sent to the Spanish provinces beyond the seas, they must, by all means, go in national bottoms. And, lastly, prohibited goods, on board any vessel less than 100 tons burthen, coming from a foreign port, and found within two leagues of the Spanish coast, are to be confiscated, and the master fined in a sum equal to the value of the same; for the recovery of which fine the lawful goods on board belonging to the master, as well as the freight will be liable; and, if insufficient, the vessel herself, although she should not be his property. With respect to vessels of more than 100 tons, with prohibited goods, for the peninsula, the custom-house officers afloat must confine themselves to ascertain that they proceed straight to the port of their destination; there being no occasion for detaining those which are going from the ports of deposit to foreign countries, as the masters must prove that they have landed their cargoes at the places to which they are bound.

EAST INDIES.—BENGAL.

Money, Weights, and Measures.

Mercantile accounts are kept in Calcutta mostly in sicca rupees, annas, and pice: formerly they were kept in current rupees, annas, and pice.

12 pice = 1 anna. 16 annas = 1 sicca rupee (Sa. R.)
100 Sa. Rs. = 116 current rupees.

The coins in circulation are gold mohurs (or gold rupees), halves and quarters; sicca rupees, halves and quarters; and copper pie, and half pie.

A gold mohur, or rupee, weighs 7 dwts. $8\frac{1}{2}$ grains troy, and passes from $14\frac{1}{2}$ to $15\frac{1}{2}$ silver rupees.

1 sicca rupee weighs 179.55 grains. 1 anna weighs 11.12 grains.
1 pice weighs 93 do.

Cowries, or sea shells, made use of for petty disbursements, home expenses, corley hire, &c. are reckoned thus: 4 cowries make 1 gundah.

20 gundahs make 1 pun. 4 puns = 1 anna.

Great Weights.

16 chittauks = 1 seer = 1 lb. 13 oz. 13 drms. 33 decim.
40 seer = 1 factory maund = 74 10 10 66

Bazar weight is 10 per cent. more than factory weight.

1 bazar maund = 82 2 2 133

MADRAS.

Accounts are kept at Madras in star pagodas, fanams, and cash.

80 cash = 1 fanam, 42 to 46 fanams = 1 star pagoda.

Government, the banks, and all the houses of agency, keep their accounts at 42 fanams the star pagoda; the shops and bazars at 44 or 45. The star pagoda exchanges in the bazar for about 45 fanams, but fluctuates according to circumstances.

The species of coins in general circulation are, 1 cash piece, of which 80 make one single fanam; 5 cash piece equal to half doodie, 16 make one fanam; 10 cash piece equal to 1 doodie, 8 make one single fanam; 20 cash piece equal to 1 piece, 4 make one single fanam; 2 single fanams are equal to 1 double fanam; 12 single, or 6 double fanams are equal to 1 arcot rupee; 42 single, or 21 double fanams, or $3\frac{1}{2}$ arcot rupees, are equal to 1 star pagoda. The star pagoda weighs 2 dwts. $4\frac{1}{2}$ grains.

Calcutta exchanges with Madras at 108 current rupees for 100 arcot rupees.

Table of Great Weights.

10 pagodas = 1 pollam.	8 vis = 1 maund.	Wt. 25 lb. avoird.
40 pollams = 1 vis.	20 maunds = 1 candy.	Wt. 400 lb. do.

Comparative view of the relative value of the several denominations of Gold and Silver Coins.

		R.	A.	P.			R.	A.	P.		
100 current rupees	{	Sicca rupees	88	3	3	100 Bombay, or 10	{	Sicca rupees	94	13	2
are	{	Sonaut do.	90	1	5	per ct. rupees, are	{	Sonaut do.	99	1	7
	{	Bombay do.	90	14	6		{	Arcot do.	101	13	7
	{	Arcot do.	92	9	5		{	Current do.	110	0	0
	{	Sicca rupees	93	1	7		{	Sicca rupees	95	11	0
100 Arcot, or 8 per	{	Sonaut do.	97	4	9	100 Sonaut, or 11	{	Bombay do.	100	14	6
cent. rupees, are	{	Bombay do.	98	2	10	per ct. rupees, are	{	Arcot do.	102	12	5
	{	Current do.	108	0	0		{	Current do.	111	0	0
100 Sicca rupees	{	Sonaut rupees	104	8	0	100 Sicca rupees	{	Arcot rupees	107	6	6
are	{	Bombay do.	105	7	3	are	{	Current do.	116	0	0
100 Madras, or 3 sawmy	{	= 100 star pag.				45 Madras fanams are	=	1 star pag.			
pagodas, are	{	= 100 do.				30 Shorly do. are	=	1 do.			
90.90909 do.	=	100 do.				16½ Coily do. are	=	1 do.			
16—¾ Span. dollars are	=	10 do.				12 fanams, 68.570 cash, are	=	1 arc. rup.			
350 Arcot rupees are	=	100 do.									

BOMBAY.

Accounts are kept in rupees, quarters, and reas. 100 reas are equal 1 quarter, and 4 quarters are equal 1 rupee.

Their Coins, real and imaginary, are as follows:

2 *reas are 1 urdee.	12 $\frac{1}{2}$ pice, or 4 annas, are 1 quarter rupee.*
4 do. are 1 dooganey, or single pice.	25 pice, or 8 annas, are 1 half rupee.
6 reas, or 3 urdees, are 1 doreca.	50 pice, or 16 annas, are 1 rupee.
8 reas, or 4 do. are 1 fuddea, or doub. pice	5 rupees are 1 paunchea.
3 $\frac{1}{2}$ fuddeas, or pice, are 1 anna.*	15 rupees are 1 gold mohur.

* Imaginary.

Bombay exchanges with Calcutta at 100 Bombay rupees for 110 current rupees

Table of Great Weights.

30 pice = 1 sear.	40 seers = 1 maund = 38 lb. avoirdupois.
	20 maunds = 1 candy = 760 lb. do.

BATAVIA.

Accounts are kept in rix dollars and stivers

8 doits make 1 cash, or doubleskye	=	0	2 $\frac{1}{2}$
3 cash, or doubleskyes, make 1 sattalie	=	0	7 $\frac{1}{2}$
2 sattalies, or 6 cash, make 1 sooka	=	1	3
5 sattalies, or 15 cash, make 1 rupee	=	3	1 $\frac{1}{2}$
24 cash, or 48 stivers, make 1 rix dollar	=	5	0
39 cash, or 13 sattalies, or skillings, make 1 ducatoon	=	8	1 $\frac{1}{2}$
1 gold ducat is 2 rix dollars, 12 stivers, or 18 skillings.			

Great Weights.

1 catty = 1 lb. 4 oz. avoird.	100 catties = 1 pecul = 125 lb. avoird.
3 pecul = 1 bahar = 375 lb avoird.	= to 16 Madras maunds, 1 vis, and 24 pollams.

The WEST INDIA LAW, referred to in page 4 has passed the British Parliament, and obtained the Royal assent.

The following TABLE shows the invoice prices of Goods in British currency, and the amount in Federal currency, as calculated at the Custom House, with the 10 per cent. added thereto for the payment of duties.

£	s.	d.	\$	£	s.	d.	\$	£	s.	d.	\$	£	s.	d.	\$	£	s.	d.	\$
2	1	1	12	16	0	63	25	9	10	125	38	3	9	187	50	17	8	249	
6	2	2	13	0	1	64	25	14	0	126	38	7	10	188	51	1	9	250	
10	3	3	13	4	2	65	25	18	1	127	38	11	11	189	51	5	10	251	
14	4	4	13	8	3	66	26	2	2	128	38	16	1	190	51	9	11	252	
18	6	5	13	12	4	67	26	6	3	129	39	0	2	191	51	14	0	253	
1	2	7	13	16	5	68	26	10	4	130	39	4	3	192	51	18	2	254	
1	6	8	14	0	7	69	26	14	5	131	39	8	4	193	52	2	3	255	
1	10	9	14	4	8	70	26	18	6	132	39	12	5	194	52	6	4	256	
1	14	10	14	8	9	71	27	2	8	133	39	16	6	195	52	10	5	257	
1	18	11	14	12	10	72	27	6	9	134	40	0	7	196	52	14	6	258	
2	3	0	14	16	11	73	27	10	10	135	40	4	9	197	52	18	7	259	
2	7	2	15	1	0	74	27	14	11	136	40	8	10	198	53	2	8	260	
2	11	3	15	5	1	75	27	19	0	137	40	12	11	199	53	6	9	261	
2	15	4	15	9	3	76	28	3	1	138	40	17	0	200	53	10	11	262	
2	19	5	15	13	4	77	28	7	2	139	41	1	1	201	53	15	0	263	
3	3	6	16	15	17	5	78	28	11	4	140	41	5	2	202	53	19	1	264
3	7	7	17	16	1	6	79	28	15	5	141	41	9	3	203	54	3	2	265
3	11	8	18	16	5	7	80	28	19	6	142	41	13	4	204	54	7	3	266
3	15	10	19	16	9	8	81	29	3	7	143	41	17	6	205	54	11	4	267
3	19	11	20	16	13	9	82	29	7	8	144	42	1	7	206	54	15	5	268
4	4	0	21	16	17	11	83	29	11	9	145	42	5	8	207	54	19	7	269
4	8	1	22	17	2	0	84	29	15	10	146	42	9	9	208	55	3	8	270
4	12	2	23	17	6	1	85	30	0	0	147	42	13	10	209	55	7	9	271
4	16	3	24	17	10	2	86	30	4	1	148	42	17	11	210	55	11	10	272
5	0	4	25	17	14	3	87	30	8	2	149	43	2	0	211	55	15	11	273
5	4	6	26	17	18	4	88	30	12	3	150	43	6	2	212	56	0	0	274
5	8	7	27	18	2	5	89	30	16	4	151	43	10	3	213	56	4	1	275
5	12	8	28	18	6	7	90	31	0	5	152	43	14	4	214	56	8	3	276
5	16	9	29	18	10	8	91	31	4	6	153	43	18	5	215	56	12	4	277
6	0	10	30	18	14	9	92	31	8	7	154	44	2	6	216	56	16	5	278
6	4	11	31	18	18	10	93	31	12	9	155	44	6	7	217	57	0	6	279
6	8	0	32	19	2	11	94	31	16	10	156	44	10	8	218	57	4	7	280
6	13	2	33	19	7	0	95	32	0	11	157	44	14	10	219	57	8	8	281
6	17	3	34	19	11	1	96	32	5	0	158	44	18	11	220	57	12	9	282
7	1	4	35	19	15	3	97	32	9	1	159	45	3	0	221	57	16	11	283
7	5	5	36	19	19	4	98	32	13	2	160	45	7	1	222	58	1	0	284
7	9	6	37	20	3	5	99	32	17	3	161	45	11	2	223	58	5	1	285
7	13	7	38	20	7	6	100	33	1	5	162	45	15	3	224	58	9	2	286
7	17	8	39	20	11	7	101	33	5	6	163	45	19	4	225	58	13	3	287
8	1	10	40	20	15	8	102	33	9	7	164	46	3	6	226	58	17	4	288
8	5	11	41	20	19	9	103	33	13	8	165	46	7	7	227	59	1	5	289
8	10	0	42	21	3	10	104	33	17	9	166	46	11	8	228	59	5	7	290
8	14	1	43	21	8	0	105	34	1	10	167	46	15	9	229	59	9	8	291
8	18	2	44	21	12	1	106	34	5	11	168	46	19	10	230	59	13	9	292
9	2	3	45	21	16	2	107	34	10	1	169	47	3	11	231	59	17	10	293
9	6	4	46	22	0	3	108	34	14	2	170	47	8	0	232	60	1	11	294
9	10	6	47	22	4	4	109	34	18	3	171	47	12	2	233	60	6	0	295
9	14	7	48	22	8	5	110	35	2	4	172	47	16	3	234	60	10	1	296
9	18	8	49	22	12	6	111	35	6	5	173	48	0	4	235	60	14	3	297
10	2	9	50	22	16	8	112	35	10	6	174	48	4	5	236	60	18	4	298
10	6	10	51	23	0	9	113	35	14	7	175	48	8	6	237	61	2	5	299
10	10	11	52	23	4	10	114	35	18	9	176	48	12	7	238	61	6	6	300
10	15	0	53	23	8	11	115	36	2	10	177	48	16	8	239	61	10	7	301
10	19	1	54	23	13	0	116	36	6	11	178	49	0	10	240	61	14	8	302
11	3	3	55	23	17	1	117	36	11	0	179	49	4	11	241	61	18	9	303
11	7	4	56	24	1	2	118	36	15	1	180	49	9	0	242	62	2	11	304
11	11	5	57	24	5	4	119	36	19	2	181	49	13	1	243	62	7	0	305
11	15	6	58	24	9	5	120	37	3	3	182	49	17	2	244	62	11	1	306
11	19	7	59	24	13	6	121	37	7	5	183	50	1	3	245	62	15	2	307
12	3	8	60	24	17	7	122	37	11	6	184	50	5	4	246	62	19	3	308
12	7	9	61	25	1	8	123	37	15	7	185	50	9	6	247	63	3	4	309
12	11	2	62	25	5	9	124	37	19	8	186	50	13	7	248	63	7	5	310

£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.		
63	11	6	311	71	15	4	351	79	19	2	391	88	2	11	431	96	6	9	471
63	15	8	312	71	19	5	352	80	3	3	392	88	7	0	432	96	10	10	472
63	19	9	313	72	3	6	353	80	7	4	393	88	11	2	433	96	14	11	473
64	3	10	314	72	7	8	354	80	11	5	394	88	15	3	434	96	19	0	474
64	7	11	315	72	11	9	355	80	15	6	395	88	19	4	435	97	3	1	475
64	12	0	316	72	15	10	356	80	19	7	396	89	3	5	436	97	7	3	476
64	16	1	317	72	19	11	357	81	3	9	397	89	7	6	437	97	11	4	477
65	0	2	318	73	4	0	358	81	7	10	398	89	11	7	438	97	15	5	478
65	4	4	319	73	8	1	359	81	11	11	399	89	15	8	439	97	19	6	479
65	8	5	320	73	12	2	360	81	16	0	400	89	19	10	440	98	3	7	480
65	12	6	321	73	16	3	361	82	0	1	401	90	3	11	441	98	7	8	481
65	16	7	322	74	0	5	362	82	4	2	402	90	8	0	442	98	11	9	482
66	0	8	323	74	4	6	363	82	8	3	403	90	12	1	443	98	15	0	483
66	4	9	324	74	8	7	364	82	12	5	404	90	16	2	444	99	0	0	484
66	8	10	325	74	12	8	365	82	16	6	405	91	0	3	445	99	4	1	485
66	13	0	326	74	16	9	366	83	0	7	406	91	4	4	446	99	8	2	486
66	17	1	327	75	0	10	367	83	4	8	407	91	8	6	447	99	12	3	487
67	1	2	328	75	4	11	368	83	8	9	408	91	12	7	448	99	16	4	488
67	5	3	329	75	9	1	369	83	12	10	409	91	16	8	449	100	0	0	489
67	9	4	330	75	13	2	370	83	16	11	410	92	0	9	450	100	0	5	490
67	13	5	331	75	17	3	371	84	1	0	411	92	4	10	451	200	0	0	977
67	17	6	382	76	1	4	372	84	5	2	412	92	8	11	452	300	0	0	1466
68	1	8	333	76	5	5	373	84	9	3	413	92	13	0	453	400	0	0	1855
68	5	9	334	76	9	6	374	84	13	4	414	92	17	2	454	500	0	0	2442
68	9	10	335	76	13	7	375	84	17	5	415	93	1	3	455	600	0	0	2930
68	13	11	336	76	17	9	376	85	1	6	416	93	5	4	456	700	0	0	3419
68	18	0	337	77	1	10	377	85	5	7	417	93	9	5	457	800	0	0	3907
69	2	1	338	77	5	11	378	85	9	8	418	93	13	6	458	900	0	0	4396
69	6	2	339	77	10	0	379	85	13	10	419	93	17	7	459	1000	0	0	4884
69	10	4	340	77	14	1	380	85	17	11	420	94	1	8	460	2000	0	0	9768
69	14	5	341	77	18	2	381	86	2	0	421	94	5	9	461	3000	0	0	14652
69	18	6	342	78	2	3	382	86	6	1	422	94	9	11	462	4000	0	0	19536
70	2	7	343	78	6	5	383	86	10	2	423	94	14	0	463	5000	0	0	24420
70	6	8	344	78	10	6	384	86	14	3	424	94	18	1	464	6000	0	0	29304
70	10	9	345	78	14	7	385	86	18	4	425	95	2	2	465	7000	0	0	34188
70	14	0	346	78	18	8	386	87	2	6	426	95	6	3	466	8000	0	0	39072
70	19	0	347	79	2	9	387	87	6	7	427	95	10	4	467	9000	0	0	43956
71	3	1	348	79	6	10	388	87	10	8	428	95	14	5	468	10000	0	0	48840
71	7	2	349	79	10	11	389	87	14	9	429	95	18	7	469				
71	11	3	350	79	15	1	390	87	18	10	430	96	2	8	470				

To find the Price per square yard.

RULE. Multiply the piece by 36, divide by the width, gives price of square yard.

To find square yards.

RULE. Running yards multiply by the width, and divide by the square, gives square yards.

To find the square yards in Shawls and Handkerchiefs.

RULE. Multiply the number by the width, divide by the square, will give the length. Multiply the width by the product, and again divide by the square, will give the square yards.

Charleston, S. C.—Passengers.

Every master upon his arrival, must give to the harbour-master a list of his passengers, and their servants, describing their places of residence, their occupations, christian and surnames, and stating whether he considers any, and which, as likely to become burdensome, under the penalty of \$10 for each passenger. If any passenger likely to become a public charge, cannot procure sufficient security, the master must take him away within three months, or must become his security himself.

ADDITIONAL APPENDIX.

SINCE the publication of the Assistant, the following amendments have been made to the revenue act passed 2d March, 1799, by a supplementary act of the 1st of March, 1823 :

1st. No imported merchandise, subject to an ad valorem duty, (except such as shall have been taken from a wreck,) can be admitted to entry, unless the true invoice thereof be presented to the collector at the time of entry, except in the following manner, viz.

2d. When no invoice has been received, the owner, importer, consignee, or agent, shall make oath of the same; and the collector may, if he shall deem it expedient, admit the goods to an entry on an appraisement duly made as subsequently prescribed : Provided, that previous to entry, the owner, &c. shall give bond, with sufficient sureties, to the United States, to produce to such collector the invoice of the same within eight months from the time of entry, (if the goods were imported from any place this side, and within eighteen months, if from any place beyond the Cape of Good Hope or Cape Horn, or from the Cape of Good Hope,) and to pay the duties to which the goods may appear to be subject by such invoice, over and above the duties estimated on the appraisement.

3d. All imported merchandise, not entered pursuant to the provisions of this or any other act regulating imports and tonnage, shall be deposited in the public warehouse, and remain there at the expense and risk of the owner, until the invoice be produced : Provided, that after the merchandise shall have remained in the public store nine months, if imported from any place this side, and eighteen months if from beyond Cape Horn or the Cape of Good Hope, or from the Cape of Good Hope, and no invoice shall be produced, then the same shall be appraised as herein after directed : Provided also, that this shall not be understood to prohibit the sale of such quantities of such goods as may be necessary to discharge the duties thereon, and all intervening charges. And the collector is authorized to direct an earlier sale of articles of a perishable nature, or liable to waste, first giving notice of the sale in one or more papers at or nearest the port where the sale may take place, which articles shall be previously appraised according to law, and the proceeds of the sale shall be disposed of at the expiration of the said nine and eighteen months, as the case may be, as prescribed by the 56th section of the act passed 2d March, 1799. (Vide page 301.) This regulation is not to affect the case contemplated in that section.

Sec. 4. In all cases where imported merchandise is entered by invoice, one of the following oaths is to be administered to the owner, importer, consignee, or agent, in lieu of the oath heretofore prescribed by law :

"Manufacturer's or Owner's Oath, in cases where goods, wares, or merchandise, have not been actually purchased."

"I — do solemnly and truly — that the entry now delivered by me to the collector of —, contains a just and true account of all the goods, wares, and merchandise imported by, or consigned to me, in the — whereof — is master, from —; that the said goods, wares, and merchandise, were not actually bought by me, or by my agent, in the ordinary mode of bargain and sale, but that, nevertheless, the invoice which I now produce, contains a just and faithful valuation of the same, at their fair market value, including charges of purchasing, carriages, bleaching, dyeing, dressing, finishing, putting up, and packing, at the time, or times, or place, or places, when and where procured for account — that the said invoice contains also a just and faithful account of all charges, actually paid, and no other discount, drawback, or bounty, but such as has been actually allowed on the said goods, wares, and merchandise; that I do not know, nor believe, in the existence of any invoice or bill of lading, other than those now produced by me, and that they are in the state in which I actually received them. And I do further solemnly and truly — that I have not, in the said entry or invoice, concealed or suppressed any thing, whereby the United States may be defrauded of any

part of the duty lawfully due on the said goods, wares, and merchandise; and that if, at any time hereafter, I discover any error in the said invoice, or in the account now produced of the said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of this district.

to this before me,

Owner's Oath, in cases where goods, wares, and merchandise have been actually purchased.

I do solemnly and truly that the entry now delivered by me to the collector of New-York, contains a just and true account of all the goods, wares, and merchandise, imported by, or consigned to me, in the whereof is master, from that the invoice which I now produce contains a just and faithful account of the actual cost of the said goods, wares, and merchandise, of all charges thereon, including charges of purchasing, carriages, bleaching, dyeing, dressing, finishing, putting up, and packing, and no other discount, drawback, or bounty, but such as has been actually allowed on the same; that I do not know nor believe in the existence of any invoice or bill of lading other than those now produced by me, and that they are in the state in which I actually received them. And I do further solemnly and truly that I have not, in the said entry or invoice, concealed or suppressed any thing whereby the United States may be defrauded of any part of the duty lawfully due on the said goods, wares, and merchandise, and that if, at any time hereafter, I discover any error in the said invoice, or in the account now produced, of the said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of this district.

to this before me,

Consignee, Importer, or Agent's Oath.

I do solemnly and truly that the invoice and bill of lading now presented by me to the collector of New-York, are the true and only invoice and bill of lading by me received, of all the goods, wares, and merchandise, imported in the whereof is master, from for account of any person whomsoever, for whom I am authorized to enter the same; that the said invoice and bill of lading are in the state in which they were actually received by me, and that I do not know nor believe in the existence of any other invoice, or bill of lading, of the said goods, wares, and merchandise; that the entry now delivered to the collector, contains a just and true account of the said goods, wares, and merchandise, according to the said invoice and bill of lading; that nothing has been on my part, nor, to my knowledge, on the part of any other person, concealed or suppressed, whereby the United States may be defrauded of any part of the duty lawfully due on the said goods, wares, and merchandise; and that if, at any time hereafter, I discover any error in the said invoice, or in the account now rendered of the said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of this district. And I do further solemnly and truly that, to the best of my knowledge, and belief the owner of the goods, wares, and merchandise, mentioned in the annexed entry; that the invoice now produced by me exhibits the actual of the said goods, wares, and merchandise, all the charges thereon, and no other or different discount, bounty, or drawback, but such as has been actually allowed on the same.

to this before me,

Sec. 5. The ad valorem rates of duty upon merchandise shall be estimated in the manner following, viz. To the actual cost if purchased, or actual value if procured otherwise than by purchase, at the time and place of purchase, or to the appraised value if appraised, (except goods are subject to the penalty provided for in the 13th section of this act,) shall be added all charges except insurance, and 20 per cent. on the said cost or value, and charges if imported from the Cape of Good Hope, or any place beyond that or Cape Horn, or ten per cent. if from any other place, and the said rates of duty estimated on the aggregate amount: provided, when such merchandise shall have been imported from a country other than the place of manufacture or production, the appraisers shall value the same at the current value at the time of exportation, in the country where the same may have been originally manufactured or produced.

Sec. 6. No such merchandise belonging to a person residing in the United States, but then absent from the place of importation, can be admitted to an entry, unless the importer, consignee, or agent, shall previously give bonds, with sufficient sureties, to produce within four months to the collector of that port the invoice of the same duly verified by the oath, as above prescribed, of the owner, or one of them when there shall be more than one, which oath shall be adminis-

tered by a collector of the United States, if there be any in the place, or if none, by some public officer duly authorized.

Sec. 7. No such merchandise, belonging to, and actually purchased by a person not residing at the time in the United States, shall be admitted to entry, unless the invoice be verified by the oath of the owner, or one of the owners, certifying that the same was actually purchased for his account, or on account of himself and partners; that the invoice annexed thereto contains a true and faithful account of the actual cost thereof, and of all charges thereon, and that no discounts, bounties, or drawbacks, are contained in the said invoice, but such as have been actually allowed on the same; which oath shall be administered by a consul or commercial agent of the United States, or by some public officer duly authorized to administer oaths, in the country where the same shall have been purchased, and the fact certified by the said consul, commercial agent, or public officer, in which last case the official certificate shall be authenticated by a consul or agent of the United States: if there be none in the country, then the authentication shall be executed by the consul of some nation in amity with the United States, if there be any such residing there; but if not, then by two respectable merchants there residing.

Sec. 8. No such goods belonging to a person not residing in the United States, who may not have acquired them in the ordinary way of bargain and sale, or belonging to the manufacturers in whole or in part of the same, shall be admitted to entry, unless the invoice be verified by the oath, administered as above prescribed, of the owner, certifying that the invoice contains a true and faithful account of the same, at their fair market value at the time and place when and where they were so procured or manufactured, and of all charges thereon, and that the invoice contains no discounts, bounties, or drawbacks, but such as have been actually allowed.

Sec. 9. When such merchandise belongs to the estates of persons deceased, or insolvents whose estates have been assigned for the benefit of their creditors, the oaths above required may be administered to the executor, administrator, or assignees.

Sec. 10. When such merchandise belonging to a person not residing in the United States, shall not be accompanied by the invoice and oath above required, or where it shall not be practicable to make such oath, or there shall be an immaterial informality in such oath or authentication, or where the collector of the port shall have certified to the secretary of the treasury his opinion that no fraud was intended, the said secretary may, if he shall think proper, admit the same to an entry: provided, that the consignee, importer, or agent, shall previous thereto give bond with sureties to produce such invoice if practicable, duly sworn to and authenticated, and in the time and mode prescribed in the second section, where no invoice has been received; but the said secretary shall in no case admit them to an entry where there is just ground to suspect that a fraud on the revenue is intended.

Sec. 11. When such merchandise belongs to owners part residing in the United States and part elsewhere, the oath of one of the owners residing in the United States, shall be sufficient to admit the same to an entry, unless the goods shall have been manufactured in whole or in part by one of the owners residing out of the United States, in which case the invoice shall be verified and authenticated as prescribed in the eighth section.

Sec. 12. When the invoice of such goods belonging to a person residing out of the U. States shall not have been duly verified and authenticated, and upon application to the secretary of the treasury as prescribed by the 10th section, the goods shall have been refused an entry, the same shall be deemed suspected, and liable to the same additions and penalties as prescribed in the following section.

Sec. 13. When the collector shall suspect that goods subject to an ad valorem duty, have been invoiced below their true value in the place whence they were exported, he shall cause them to be appraised as hereafter prescribed, and if the appraised value shall exceed by 25 per cent. the invoice prices, then in addition to the 10 or 20 per cent. laid upon correct invoices, there shall be added 50 per cent. upon the appraised value, and the duties shall be estimated upon such aggregate amount, but this penalty shall not be imposed because of a variance between the bona fide invoice produced according to the *proviso* in the 5th section

of this act, and the current value in the country where the goods may have been originally manufactured or procured.

Sec. 14. When the appraised value shall exceed by less than 25 per cent. the invoice value, the duties shall be estimated upon the appraised value, with the legal additions, or 10 or 20 per cent.: provided that no duty shall be estimated on an amount less than the invoice value, with the legal additions.

Sec. 15. The collector shall cause one package out of every invoice, and one package at least out of every 20 packages of each invoice of imported goods, which package or packages he shall first have designated on the invoice to be opened and examined, and if the same be found not to correspond with the invoice, or be falsely charged, a full inspection of all goods included in the same entry shall be made, and if subject to an ad valorem duty, the same shall be appraised, and subjected to the penalties prescribed in the 13th section, and whether the goods be subject to ad valorem or specific duty, if any package be found to contain any article not described in the invoice, the whole package shall be forfeited, but the secretary of the treasury may remit the forfeiture if he shall think the said article was put in by mistake.

Sec. 16. Two appraisers to be appointed for each of the ports of Boston, New-York, Philadelphia, Baltimore, Charleston, Savannah, and New-Orleans, who shall make oath diligently and faithfully, to inspect such goods as the collector may direct, and truly to report to the best of their knowledge and belief, the true value thereof, according to the 5th section of this act. In all other ports, the collector shall appoint two respectable resident merchants, who, after having taken the oath, shall be the appraisers, and the secretary of the treasury may direct the appraisers of any district to attend in any other collection district for the purpose of appraising goods.

Sec. 17. The appraisers for the port of New-York shall receive each \$2000; for the other ports above specified \$1500. The merchants appointed by the collector to act as appraisers shall receive \$5 per diem, while actually employed, and the appraisers of one district who attend in another district for the purpose of appraising goods, shall receive \$5 for every 25 miles in going or returning, in addition to their salary or pay.

Sec. 18. When the owner, consignee, importer, or agent, shall be dissatisfied with the appraisement, it shall be lawful for him to employ at his own expense, two respectable resident merchants, who after being duly qualified according to the 16th section, shall, together with the two appraisers appointed on the part of the United States, examine the goods in question, and report their value, if they agree therein, and if not, the circumstances of their disagreement, to the collector; and if such owner, &c. shall be dissatisfied with such report and 2d appraisement, he may refer the case to the secretary of the treasury, who is authorized to decide thereon, or to require further testimony, and to order the goods to be entered accordingly.

Sec. 19. A penalty of fifty dollars and costs is imposed on a merchant who declines or neglects to assist at an appraisement, after due notice in writing that he has been chosen, either by the collector or party in interest.

Sec. 20. One half of the excess of duty accruing in consequence of the fifty per cent. addition, is to be divided among the custom-house officers of the port, as prescribed by the act of March 2d, 1799, (vide page 370): provided, that the appraisers in no case shall receive any part thereof.

Sec. 21. Goods taken from a wreck must be appraised before entry, and the same proceedings shall be had when a reduction of duties shall be claimed on account of damages sustained during the voyage; and whenever the owner, importer, consignee, or agent, shall be dissatisfied with the appraisement, he shall be entitled to the privileges provided in the 18th section of this act.

Sec. 22. For every verification and certificate made under this act, before a consul or commercial agent of the United States, he shall receive two dollars, and each shipper may include all articles shipped by him in the same invoice.

Sec. 23. When goods are admitted to entry upon invoice, the collector shall certify the same under his official seal, and no other evidence of their value shall be admitted on the part of their owner, in the courts of the United States, except in corroboration of such entry.

Sec. 24. Any person who shall counterfeit, or knowingly use any counterfeit certificate or attestation made in pursuance of this act, shall, upon conviction

thereof, be adjudged guilty of felony, and be subject to a fine not exceeding ten thousand dollars, and imprisonment not exceeding three years.

Sec. 25. Any bond to the United States for the payment of duties by one of a firm, in the name of such firm, shall equally bind his partner or partners, but no clerk or hired person in the constant employ of another shall become principal or surety to any bond to which his employer is a party.

Sec. 26. No bond for duties shall be accepted by any collector, unless the principal be a resident, and the sureties citizens, of the United States.

Sec. 27. The collector is directed to allow a discount of four per cent. per annum, for the legal term of credit, whenever the owner, &c. of imported goods shall desire to pay the amount of duties in cash, provided the duties shall amount to fifty dollars or upwards.

Sec. 28. All goods on which the duties have been paid or secured may be transported coastwise from the district of importation, into two other districts, and exported from either with the benefit of drawback: provided all the regulations and formalities now in force, or hereby prescribed, relating to such transportation be complied with: and provided also, all the regulations and formalities now in force respecting the exportation of goods for the benefit of drawback, be complied with, so far as may be consistent with the provisions of this act.

Sec. 29. All goods so transported subject to an ad valorem duty, and intended for exportation, must be accompanied by a copy from the invoice of the cost thereof, certified by the collector of the district from which they shall have been last re-shipped, which shall be produced to the collector of the district from which they are intended to be exported; and such goods, as well as all such goods subject to an ad valorem duty, as shall be exported from the district into which they may have been originally imported, shall be inspected by the appraisers at the time of exportation, in the same manner as when imported, and if they are found not to correspond with the original invoice, they shall be subject to forfeiture, according to the 84th section of the act of March 2d, 1799, vide page 365.

Sec. 30. Twenty days are allowed from the date of the clearance of the vessel in which goods entered for the benefit of drawback have been laden, for taking the bills, completing the entry, and giving exportation bonds: provided the exporter shall have complied in every other particular with the regulations established for entries of exportation of goods for the benefit of drawback.

Sec. 31. Where goods, entitled to debenture, are re-shipped for transportation coastwise, before the necessary certificates are issued by the collector, they may be entered for debenture at the district to which they shall be so transported, without forfeiting the benefit of drawback: provided the person so entering said goods, shall produce from the collector of the port from which the same shall have been last shipped, a certificate that the coastwise certificates were not issued at the time of the sailing of the vessel on board of which the said goods were shipped, and shall deliver to the collector of the port where the same shall have been so entered, the coastwise certificate, within two months from the date of entry, and before the said goods shall be entered for exportation.

Sec. 32. Where the owner, importer, consignee, or agent, may wish to transfer any goods entitled to debenture, into any other packages than those in which they were imported, the collector of the port where they are may permit him to do so if necessary for the safety or preservation of the goods: provided due notice in writing, setting forth sufficient cause of the transfer, be given to the collector, who shall appoint an inspector to ascertain if said allegation be true, and if correct, to superintend the transfer, and to cause the marks and numbers upon the original packages to be inscribed upon the new packages.

Sec. 33. It shall not be necessary to insert the numbers upon packages in any entry of goods subject to specific duty on importation or exportation, or in any coastwise or other certificate; but where a separate certificate may be required for each package, the numbers shall be inserted thereon.

Sec. 34. Where spirituous liquors, entitled to debenture, shall have been shipped coastwise, for the purpose of being immediately re-shipped for exportation, they may be re-shipped without being first deposited in the public warehouse: provided that all other regulations have been complied with, and the transportation of such liquors from the one vessel to the other be made by the

collector's order, and under the superintendence of an inspector of the revenue, who shall carefully examine the identity of the same, and the quantity, quality, and packages thereof.

Sec. 35. The penalties and forfeitures prescribed by this act, shall be sued for, recovered, distributed, and accounted for as prescribed by the act of March 2d, 1799, and may be mitigated and remitted as prescribed by the act of March 3d, 1797.

Sec. 36. Fines, &c. incurred in virtue of the act of April 20th, 1818, are to be recovered as before.

Sec. 37. When imported goods shall be re-shipped and transported coastwise to another district in the packages in which they were imported, an invoice, or copy, or extract therefrom, including all the articles with the charges thereon, which are re-shipped, verified by the additional oath required by the 4th section of this act, and certified under the official seal of the collector with whom the import entry thereof was made, shall be produced at the port to which the same shall be transported, and the same inspection shall be made as if they had been brought direct from a foreign port: provided that no appraisement shall be made at the said port, so as to change the duties charged thereon at the port of importation, if the same should have been entered according to the provisions of this act, except when transported from a port where there are no appraisers appointed by the government, and if the verified invoice shall not be so produced, such goods shall be deposited and remain in the public warehouse, at the expense and risk of their owner, until the invoice verified and certified as above required, shall be produced; and goods imported and subject to duty may be transported to one or more districts in the United States.

In consequence of the act of the Parliament of Great Britain, inserted pages 432, 433, 434, an act was passed by the last Congress, March 1, 1823, amending the navigation acts of April 18, 1818, May 15, 1820, and restoring the intercourse between the United States and the ports in the British colonies, as enumerated page 433, and also in the following ports which were accidentally omitted, viz. Anatto Bay, Jamaica, Charlestown, in Nevis, and Plymouth, in Montserrat. As to those places, the 1st, 2d, and 3d, sections of the act of April 18th, 1818, and the act of May 15th, 1820, are suspended.

Sec. 2d. The ports of the United States are open to British vessels coming from the above enumerated ports, and it is lawful to import in British vessels, navigated by a master and three-fourths of the mariners British subjects, any articles of the growth, produce, or manufacture, of any of the said British colonies, which may be imported from other places, and which may be exported from any of those ports to the United States on equal terms in United States vessels.

Sec. 3d. On proof being made to the President of the United States that United States vessels do not pay in those ports higher tonnage, or impost duties, or other charges, than British vessels, he may, by proclamation, place British vessels and goods from those ports, upon a footing as to duties, &c. with the United States vessels and goods imported therein from those ports: this provision, however, is not to operate in the Territory of Florida. Until such proof be given, British vessels from those ports pay the foreign tonnage duty, and the additional duties prescribed by the act of April 27th, 1816, vide page 332.

Sec. 4th. No articles, except specie and bullion, other than those of colonial growth, produce, or manufacture, shall be imported in British vessels from any of those ports, and no articles of colonial growth, &c. shall be imported in British vessels, unless coming directly from one of those ports, on pain of forfeiting such articles, together with the vessel and furniture.

Sec. 5th. All articles, the exportation of which is not prohibited by law, may be exported from the United States to the above enumerated ports, in United States vessels, or British vessels, having come directly from one of the said ports, and navigated as by the 2d section of this act prescribed: provided, that when exported in a British vessel, the owner, consignee, or agent, shall before the shipment, give bond in a penalty equal to the value of the goods, for landing

them at the ports for which said vessel shall clear out, and for producing a certificate thereof within 12 months from the date of said bond, under the hand and seal of the United States consul, or commercial agent, in the port where the same shall be landed, or if none reside there, then under the hand of the chief officer of the customs, or of two known and reputable merchants residing at such port. The bond may also be discharged by proof on oath that the said articles perished in the seas, or were captured by enemies. No articles can be exported in a British vessel to any of those ports, unless coming directly from, and going directly to, one of the above enumerated ports. All articles shipped on water board, for the purpose of exportation contrary to this act, shall be forfeited.

Sec. 6th. This act is to continue in force so long as the above enumerated ports shall be open, according to the act of the British Parliament of June 24th, 1822, but if the trade between the United States and all, or any of them, should be prohibited by an order in council, or by act of parliament, then the provisions of this act shall cease to operate in favour of the said colonies and acts of April 18th, 1818, and May 15th, 1820, shall revive.

Sec. 7th. The provisions of this act are extended to every colonial port, which by virtue of a British order of council, shall be opened to American vessels, pursuant to the said act of June 24th, 1822.

Sec. 8th. All penalties are placed on the same footing with the other penalties incurred under the revenue laws.

By an act, passed March 3d, 1823, the provisions of the late treaty with France, page 450, are carried into effect, the act of May 15th, 1820, (vide page 171,) imposing a tonnage duty on French ships, is repealed, and the secretary of the treasury is authorized to refund any extra duties levied before the 24th of June, 1822, by virtue of that act.

By another act of the same date, the following amendments are made to the act of March 2d, 1821, vide page 282.

Sec. 1. Every person having charge of a vessel, boat, canoe, or raft, or the driver of any carriage, or sleigh, or any person bringing merchandise from any foreign territory adjacent to the United States, who shall neglect or refuse to deliver a manifest as required by the act amended, shall be liable to pay four times the value of the merchandise so imported, instead of \$400.

Sec. 2. Any person receiving, concealing, or buying goods, knowing them to have been illegally imported, and liable to seizure, shall forfeit double the amount of said goods.

Sec. 3. Any person resisting, preventing, or impeding any officer of the customs, or their deputies, or persons assisting them in the execution of their duty, shall be fined a sum not exceeding \$400.

Sec. 4. The provisions of the 46th section of the act of March 2d, 1799, vide page 288, are extended to the case of goods imported into the United States from an adjacent territory.

Sec. 5. All penalties incurred under this act are placed on the same footing with the other penalties of the revenue acts.

Every vessel destined to the ports of Sardinia, must be provided with a Consular Certificate, attesting the condition as to the health of the place of departure, the nature, quality, and origin of the merchandise on board, the number of the crew and of the passengers.

The King of Prussia has declared Stetin to be a free port, so that all goods may be bonded for re-exportation.

Vessels destined for Hayti, must go direct from a port in the United States, or Europe, without touching at an intermediate port in the West Indies.

The Government of Colombia, to remedy the evils occasioned by the uncertain standard of money now in circulation in that Republic, has decreed as follows:—

Art. 1. All gold money, coined in Colombia, shall be of the same weight and standard as that formerly issued by the Spanish Government, without the least difference whatsoever. Gold and silver bullion will be purchased from private individuals at the same rates as were paid by the Spanish Government, and

the assais will be made with the utmost nicety and accuracy, so as not to prejudice, in the smallest degree, the interests of either the private individual or the state.

Art. 2. All silver money now in circulation in Colombia, which is not either Spanish milled money or old maquique, shall be re-coined of the standard, and weight, specified in the Spanish ordinance; but only pecetos, rials and half-rials will be re-coined.

TRADE TO FRANCE.

In consequence of the late quarantine laws, and also to meet the Custom-House regulations, it is henceforth necessary to provide American vessels, trading to France—

1st. With a Bill of Health, signed or legalized by the French Consul.

2d. A regular and complete Manifest of all the different goods on board, with a duplicate thereof, specifying correctly what is the produce of the United States, and what is foreign produce; one of them, also, to be signed by the French Consul at the port of loading.

Those two documents are of importance—the first, to avoid or shorten the detention of vessels on quarantine—the second, not only to satisfy the custom-house regulations, but also to secure the advantages granted by the late arrangements to the importation of American produce by Americal vessels into France.

Bordeaux, 4th February, 1823.

BRITISH WEST INDIES.

The government of the United States in their late act took the ground, that, while according to British regulations, any disability attached to articles the growth of our soil, exported to the British colonies, which the same articles from elsewhere, meaning any where else, were exempt from, such disability was to be met with counter regulations on our part. Finding, from a perusal of the act of Parliament, and from a comparison of the duties imposed in the schedule annexed to it, on the great staples of flour and lumber for instance, when exported to the West Indian or other colonies, from Great Britain or Canada, with those to which the like articles from the United States were subject; that a very heavy discrimination was established to the disadvantage of the United States, it, of course, became the duty of Congress so to frame their act, as that, while it met every advance towards entire reciprocity and freedom of trade, made by the British Parliament, with a corresponding feeling, it should visit back disability for disability, and should in no case give more than the *quid pro quo*.

Mr. Canning, to prevent any mistakes on this subject, publishes the following letter:—

“WASHINGTON, 17th May, 1822.

“SIR—Having reason to believe that an immediate removal of the alien duties on tonnage and imports now levied on British vessels entering the ports of this country from his Majesty's possessions in North America and the West Indies, is generally expected, in pursuance of a late act of Congress regulating the trade between certain of those colonies and the United States, I embrace the earliest opportunity permitted by the state of my correspondence on this subject with the American Government, to inform you, and through you, to inform his Majesty's Consuls at the out-ports, that the act of Congress is considered to require not only that the corresponding duties in the largest sense as they affect the United States, should actually cease to operate on the side of Great Britain, but also that on goods, lawfully imported into any of the open colonial ports in an American vessel, no higher duty should be charged than on the like articles imported ‘from elsewhere.’

“The term *elsewhere* being understood to comprehend the British territories themselves, it is wholly out of my power to make a declaration on this point satisfactory to the American Government; and, however to be regretted, it is therefore manifest, that the prevailing expectation is not likely to be realized under the present circumstances.

“I am, &c. &c.

(Signed)

“To His Majesty's Consul General, }
in the United States.” }

“STRATFORD CANNING.

AN ACT,

To modify the act of the fourteenth of July, one thousand eight hundred and thirty-two, and all other acts imposing duties on imports.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the thirty-first day of December, one thousand eight hundred and thirty-three, in all cases where duties are imposed on foreign imports by the act of the fourteenth day of July, one thousand eight hundred and thirty-two, entitled "An act to alter and amend the several acts imposing duties on imports," or by any other act, shall exceed twenty per centum on the value thereof, one-tenth part of such excess shall be deducted; from and after the thirty-first day of December, one thousand eight hundred and thirty-five, another tenth part thereof shall be deducted; from and after the thirty-first day of December, one thousand eight hundred and thirty-seven, another tenth part thereof shall be deducted; from and after the thirty-first day of December, one thousand eight hundred and thirty-nine, another tenth part thereof shall be deducted; and from and after the thirty-first day of December, one thousand eight hundred and forty-one, one half of the residue of such excess shall be deducted; and from and after the thirtieth day of June, one thousand eight hundred and forty-two, the other half thereof shall be deducted.

Sec. 2. And be it further enacted, That so much of the second section of the act of the fourteenth day of July aforesaid, as fixes the rate of duty on all milled and fulled cloth, known by the name of plains, kerseys, or Kendal cottons, of which wool is the only material, the value whereof does not exceed thirty-five cents a square yard, at five per centum ad valorem, shall be, and the same is hereby repealed. And the said articles shall be subject to the same duty of fifty per centum, as is provided by the said second section for other manufactures of wool; which duty shall be liable to the same deductions as are prescribed by the first section of this act.

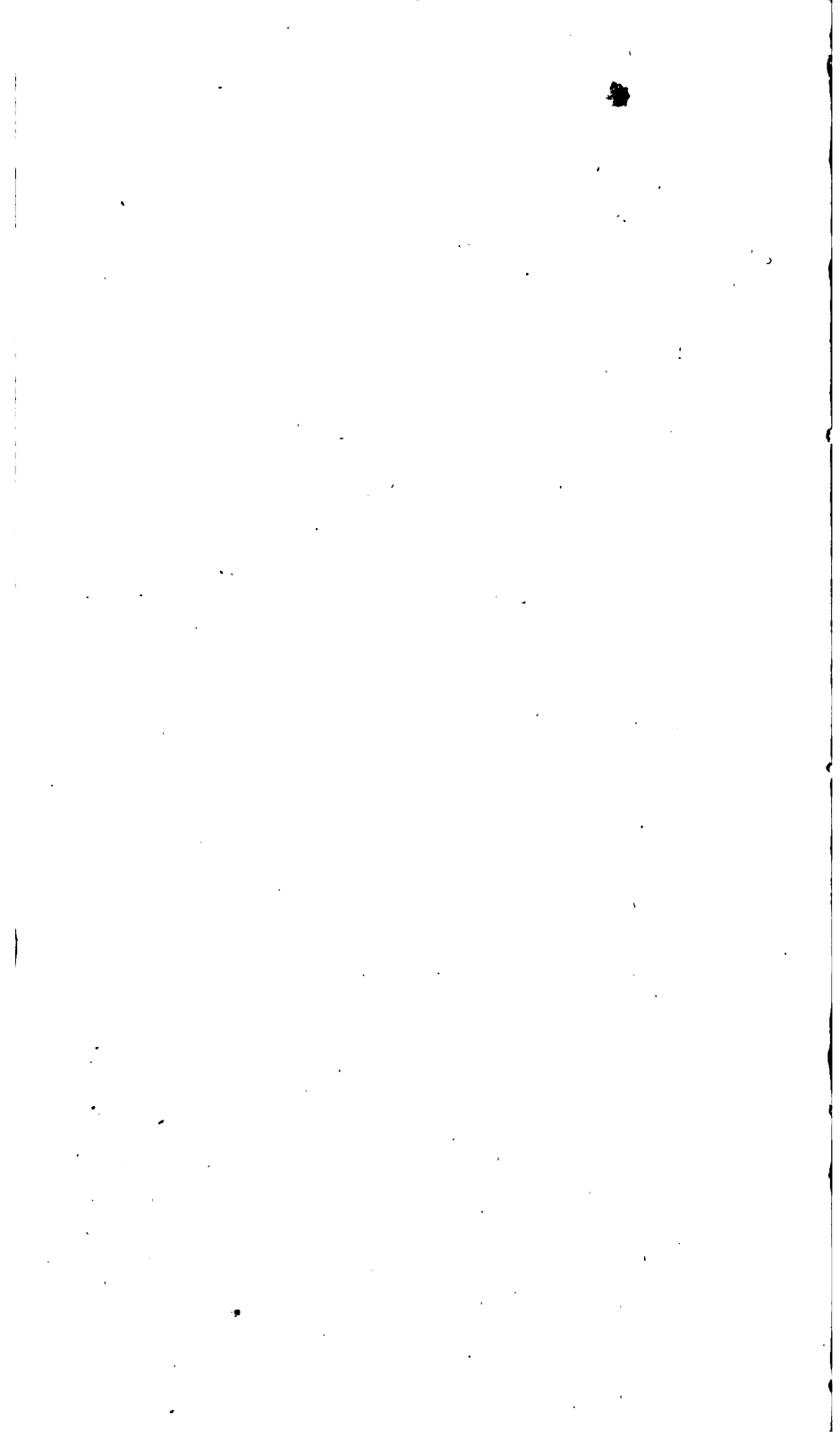
Sec. 3. And be it further enacted, That until the thirtieth day of June, one thousand eight hundred and forty-two, the duties imposed by existing laws, as modified by this act, shall remain and continue to be collected. And from and after the day last aforesaid, all duties upon imports shall be collected in ready money; and all credits now allowed by law, in the payment of duties, shall be and hereby are, abolished; and such duties shall be laid for the purpose of raising such revenue as may be necessary to an economical administration of the Government; and from and after the day last aforesaid, the duties required to be paid by law on goods, wares and merchandise, shall be assessed upon the value thereof at the port where the same shall be entered, under such regulations as may be prescribed by law.

Sec. 4. And be it further enacted, That, in addition to the articles now exempted by the act of the fourteenth of July, one thousand eight hundred and thirty-two, and the existing laws, from the payment of duties, the following articles imported from and after the thirty-first day of December, one thousand eight hundred and thirty-three, and until the thirtieth day of June, one thousand eight hundred and forty-two, shall also be admitted to entry, free from duty, to wit: bleached and unbleached linens, table linen, linen napkins, and linen cambrics, and worsted stuff goods, shawls, and other manufactures of silk and worsted, manufactures of silk, or of which silk shall be the component material of chief value, coming from this side of the Cape of Good Hope, except sewing silk.

Sec. 5. And be it further enacted, That, from and after the said thirtieth day of June, one thousand eight hundred and forty-two, the following articles shall be admitted to entry, free from duty, to wit: indigo, quicksilver, sulphur, crude saltpetre, grindstones, refined borax, emory, opium, tin in plates and sheets, gum Arabic, Senegal, lac dye, madder root, nuts and berries used in dyeing, saffron, tumeric, woad or pastel, aloes, ambergris, Burgundy pitch, cochineal, camomile flowers, coriander seed, catsup, chalk cocculus indicus, horn plates for lanterns, ox horns, other horns and tips, India rubber, unmanufactured ivory, juniper berries, musk, nuts of all kinds, oil of juniper, unmanufactured ratans and reeds, tortoise shell, tin foil, shellae, vegetables used principally in dyeing and composing dyes, weld, and all articles employed chiefly for dyeing except alum, coppersas, bichromate of potash, prussiate of potash, chromate of potash, nitrate of lead, aquafortis, and tartaric acids. And all imposts on which the first section of this act may operate, and all articles now admitted to entry free from duty, or paying a less rate of duty than twenty per centum ad valorem, before the said thirtieth day of June, one thousand eight hundred and forty-two, from and after that day may be admitted to entry subject to such duty, not exceeding twenty per centum ad valorem, as shall be provided for by law.

Sec. 6. And be it further enacted, That so much of the act of the fourteenth day of July, one thousand eight hundred and thirty-two, or of any other act as is inconsistent with this act, shall be, and the same is hereby repealed: Provided, That nothing herein contained shall be so construed as to prevent the passage prior or subsequent to the said thirtieth day of June, one thousand eight hundred and forty-two, of any act or acts, from time to time, that may be necessary to detect, prevent, or punish evasions of the duties on imports imposed by law, nor to prevent the passage of any act, prior to the thirtieth day of June, one thousand eight hundred and forty-two, in the contingency either of excess or deficiency of revenue, altering the rate of duties on articles which, by the aforesaid act of fourteenth day of July, one thousand eight hundred and thirty-two, are subject to a less rate of duty than twenty per centum ad valorem, in such manner as not to exceed that rate, and so as to adjust the revenue to either of the said contingencies.





INDEX.



A.		Page.
Abandonment	101	Bottomry and Respondentia 112
Accounts	1—12	— who may give bond of 113
Ale to be imported, how	281	Bordeaux Commercial Regulations 380
Alexandria Commercial Regulations	371	Bounty, vide Drawback
Algiers do	372	Brazil, commercial regulations of 382
Amsterdam do	372	Breakage, allowance for 311
Anguilla do	432	Bremen Commercial Regulations 383
Animals, importation of	281	British vessels, how admitted in the U. S. 317, 168
Antigua Commercial Regulations	432	British West Indies, comm. regulat. 432
Antwerp do	378	Britain, Great, Commercial Regula. 404
Appraisement of goods imported, how made	304	— moneys 50, 62
— of goods without invoice	292	— weights and measures 18
— to be made if goods are invoiced below their value	304	Buenos Ayres Commercial Regulations 383
— expense of, by whom paid	305	C.
— of goods damaged or wrecked	293	Cables, Table of 16, 17
Assurance	79	Cadiz Commercial Regulations 386
— policy of	80	Calcutta moneys, weights & measures 453
— who may assure	80	Capture, vide Assurance.
— what may be assured	80	Cape of Good Hope, comm. regula. 387
— requisites of a policy	82, 83, 84	Canton do. 387
— construction of do.	84—88	Canada do. 418
— perils of the sea	88	Charleston do. 389
— capture and detention	89	— passenger laws 451
— barratry	90	Charter party, performance of 77
— partial loss and adjustment	91	Clearence of vessels 312
— fraud in policy	102	— goods subjected to inspection must be inspected before do. 313
— sea worthiness	105	— receipts for all fees to be produced before do. 313
— illegal voyages	106	— manifest of goods exported to be produced before do. 312
— re-assurance and double do.	106	— for foreign vessels 316
— changing the ship	107	Coasters when to enter and clear, 160, 161, 256—257
— deviation	107	— when to report arrival, 161, 162, 257
— non-compliance with warranties	109	— if manifest be lost 162
— return of premium	111	— how to be licensed 157
Australasia Commercial Regulations	378	— registered ships may become 158
Average, general	94	— regulations for registered do. 258
— particular	92	— not to carry certain goods 159, 60
Azores, vide Western Islands.		— tonnage of 256, 159
B.		— license of, to be given up when 159
Bahamas Commercial Regulations	434	— license may be inspected 159
Baltimore do.	379	Coasting districts formed 164, 256
Barbadoes do.	432	Coasting trade, regulations for, 157—164, 256—258
Batavia do.	397	Collection of duties, vide duties 305
— moneys, weights & measures	90	Colombia Commercial Regulations 391
Barratry	281	Connecticut Quarantine Laws 210
Beer to be imported, how	999	— Passenger do. 241
Bermudas Commercial Regulations	68	— Wreck do. 444
Bills of Exchange, foreign	69	Constantinople, commercial regulat. 396
— of inland do.	69	Copenhagen do. 395
— acceptance of do.	70	Courts Martial, how convened 135
— protest	70	— regulations for do. 136, 137
— endorsements	70, 71	Consuls, duties of 130, 131
— who liable for	79	— fees of 130
Bills of lading what	397	Crimes on board public armed ships 133—5
Bombay Commercial Regulations	454	— in forts, navy yards, &c. 141
Bombay moneys, weights and measures	382	— on high seas, rivers, &c. 141, 142, 143
Bonds, vide forms and duties.		
Boston Commercial Regulations		

	Page.		Page.
Crimes of treason	141	Custom House regulations for north	
— homicide	141	— west territory	318, 281, 282
— running away with ship	142	— for the importation of goods	275
— piracy	142, 144	— concerning manifests	276
— mutiny	142	— masters to produce manifests	276
— maiming	142	— regulations in entering goods	284
— embezzlement of property	143	— to be done by owner or consignee	285
— receiving stolen goods	143	— how it may be done by attor-	
— perjury	143, 145	— ney or agent	284, 289
— resistance to officers of U.S.	143, 146	— sea stores to be specified in report	2:0
— wilfully destroying ship	143	— returned cargo	275
— under revenue laws	143	— entry of baggage	288
— importing counterfeited coin	144	— permit to be granted	289
— slave trade	144, 146	— return of produce of U. S.	289
— arming vessels for foreign powers	144	— post entry may be made	291
— forgery	145, 165	— wh n particulars of goods are	
— neglect of duty by Custom H.		— not known	288
— officers	146	— for goods destined for foreign	
Cuba, commercial regulations of	437	— ports	274, 278
Currency of the U. S.	45, 46	— if goods destined elsewhere	303
— rules for reducing do. of the		— for do. do. to different districts	278
— different states to federal do.		— for wines, teas, or distilled spirits	280
— tables, showing value and	45	— importation of animals	281
— weight of do.	47—49, 66	— beer, ale, porter, refined sugar,	
— of Great Britain	50, 62	— distilled spirits	281
— East Indies	50, 453	— importation of old copper	282
— British West Indies	51, 65	— duties on imported goods to be	
— France	51, 63	— secured before landing	290
— West Indies	52, 66, 440	— if packages are missing	291
— Netherlands	52, 57, 453	— goods consigned for entry only	292
— Russia	53, 63, 64	— goods belonging to any person	
— Switzerland	53	— out of the U. S. to be entered, how	292
— Prussia	59, 61, 53, 65	— oath of owner, and certificate	
— Germany	53, 58, 65, 62	— to accompany invoice	293
— Sweden	54, 64	— how invoices to be authenticated	282
— Denmark	54, 59	— original invoice to be produced	
— Livonia	54	— upon entry	292
— Italy	54, 60, 61, 63	— how want of invoice to be reme-	
— Spain	55, 58, 62	— died	292
— Portugal	56, 62	— value of invoice to be sworn to	292
— Turkey	56, 59	— if goods are invoiced below	
— Arabia	56	— their value, how to be valued	304
— Persia	56	— value of foreign moneys	308
— Egypt	56	— who to be appraisers	304
— Barbary	56	— expense of appraisement by	
— Morocco	57	— whom to be paid	305
— China	57	— wrecked goods how to be entered	293
— Japan	57	— do. expenses of appraisement of	305
— Spanish America	65, 58	— appraisement of goods	303, 4, 5
— Dutch Guiana	66	— merchants chosen to attend to	304
Custom House Regulations	255	— penalty if appraisement exceed	
— local regulations and collection		— invoice	304
— districts	259—273	— one package of each invoice,	
— for American vessels trading		— and 1 out of 50, to be sent to the	
— with foreign ports	274	— Custom house	301
— vessels to be reported on arrival	277	— in landing goods	301
— letters to be put in post office		— goods subject to be weighed,	
— before entry	449	— guaged, or measured, to be landed	
— vessels arriving not to depart		— under the officer	301
— before entry	277	— fifteen days to be allowed to un-	
— for vessels detained by ice	274	— load	301, 325
— ships of war not to report	278	— if vessel be over 300 tons	449
— for vessels entering in distress	274	— Value of imported goods to be	
— merchandise not to be imported		— certified by collector	293
— in vessels of less than 30 tons	280	— if having salt or coal	302

	Page.		Page.
Custom House regulations—imports free from duty, kinds and quantities how to be ascertained	293	For the custom house regulations of other countries, vide the chief port of the country in chapter 28th, viz. for those of Netherlands, vide Amsterdam, &c. but those of Spain are to be found in the Appendix.	
— do. of articles subject to specific duty	293		
— concerning wines, distilled spirits, and teas, vide teas.			
— for transportation of goods over land	162	D.	
— do. coastwise	353	Dantzic, Commercial Regulations of	396
— do. for benefit of drawback	353	Demurrage	79
— for registering and licensing vessels, vide Vessels.		Deviation	107
— master to give collector a list of crew before clearance	120	Discounts on invoices	312
— affirmation may be made instead of oath	327	Dominica, Commercial Regulations of	432
— masters not to be exempted from swearing or affirming	327	Drafts, allowance for	311
— as to forms of documents and deviations	327	Drawback, on what	352, 356
Custom house officers to be sworn	318	— how to obtain	357, 364
— duty of collector	193	— only on goods exported	
— duty of, in case of drawback	367, 368	— from certain districts	359
— Collector may put inspectors on board of vessel	322	— on goods not exported	
— duty of inspectors	322	— from the district of importation	352, 361
— Collector may employ deputy collectors	328	— on goods exported from	
— Collector to prepare quarterly statements of commerce, &c.	329	Florida	App. 359
— in case of collector's death	327	— on goods transported	
— duty of collectors as to state laws concerning blacks	328	coastwise	353
— duty of surveyor	319	— certificates may be endorsed	362
— do. naval officer	319	— before issuing certificate, bond to be given	354, 363
— bonds of collectors	326	— goods relanded, liable to forfeiture	365
— duty of naval officer, deputy may officiate in their stead	320, 327	— how bond is to be cancelled	363, 4
— officers may seize vessels and goods without their districts	321, 325	— when payable	361, 354, 368
— penalty for resisting	321	— attempt to obtain drawback fraudulently, how punished	365, 368
— neglect of duty	146	— on spirits distilled in U. States	366, 354
— weighers, guagers, and measurers to make return	321	— how obtained	366, 7, 354
— officers may board vessels, when may seal and lock up hatches, &c.	323	— on sugar refined in U.S.	367, 354
— to make returns after delivery of goods	324	— how obtained	367, 354
— goods seized to remain in the custody of the collector	325	— on spirits and sugar, when payable	368
— collector, naval officer, and surveyor to account with treasury for emoluments, &c.	325	— on fish	150, 368, 355
— officer shall not be engaged in commerce	325	— on wines and spirits imported	368
— no inspector to hold any other office	326	Dublin, Commercial Regulations of	397
— penalty for taking any bribe	326	Duties, how collected	305
— salary of clerks, &c. not to be paid without their certificate, that no other person has an interest	328	— on wines, spirits, and teas	298, 300
— penalty for receiving any reward, &c.	328	— credit on	306, 309
— when goods seized are discharged	330	— how, on ad valorem, to be estimated	307, 332
— officers, fees of		— bond signed by one partner shall bind the firm	307
		— on tonnage, when to be paid	307
		— bond for, how to be prosecuted	307
		— how to be paid	308
		— by whom to be collected	309
		— table of	332
		E.	
		East Indies, Commercial Regula. of	397
		— moneys, weights and measures	454
		Entry of goods for importation	275
		— of cargo, when to be made	285
		— to be made by owner	284
		— how to be made by agent	284, 288
		— of sea stores	290

	Page.		Page.
Entry of animals	281	Fisheries, bounty restricted to vessels	151
— of baggage	288, 276	— having $\frac{2}{3}$ of crew Americans	151
— of goods destined to different districts	276, 278	— punishment for swearing false under act	151
— of goods for transportation coastwise	256, 359, 278	Fishing vessels how qualified	157, 158
— of goods for exportation	312	— how privileged	151, 159
— of vessel	274, 277	Fish exported for bounty, vide Drawback	
— of goods ad valorem, how to be made	307, 292	Flag of U. S. how formed	139
— of wines and spirits	296	Florida put on the same footing with the U. S.	359
— of teas	296, 299	Florida, law relating to	449
— of goods imported from any adjacent territory	272, 282	Forms of surveys of vessel or cargo	122
— of produce or manufactures of the U. S. returned	289	— valuation for adjustment	123
— of wrecked goods	293	— entry of protest	123
— of goods for drawback	357	— protest	123
— of cargo for exportation	313	— affidavit of truth of do.	124
— of goods to obtain bounty	354	— register of ship	154
— of goods free of duty	293	— oath that ship is American built	157
— to be sworn to	290	— certificate of measurement	157
— if owner do not swear to the invoice, goods to remain warehoused	292	— enrolment	157
— how invoice to be authenticated to entitle goods to entry	283, 292	— license for coasting and fishing	158
— of goods may be made without invoice, by leave of the Secretary of the treasury	292	— sea letter	166
— if goods do not agree with entry	291	— manifest of cargo	275
— of goods where particulars are not known	288	— certificate of production of do.	277
— false, of goods for drawback, how punished	371	— certificate endorsed on do.	277
— and certificate, copy of, to be furnished to vessels bound to other districts	278, 280	— oath or manifest	277
— of goods for benefit of drawback of vessel putting in in distress	352	— bond for re-exportation of goods	278
— penalty for goods not included	274	— certificate of landing goods abroad	279
— penalty for unloading without authority	277	— bond for delivery of goods in different district	279
— penalty for attempting to sail before entry	277	— certificate of delivery	279
Exchange	44	— do. do. for wines, spirits, and teas	280
F.		— power of attorney to enter goods	284
Factors	72, 75	— oath of value of goods imported, taken abroad	283
— authority of	72—74	— notarial certificate to do.	285
— liability of	74, 75	— entry of goods imported	286
Fees of consuls	130, 365	— oath to do.	287
— of custom house officers	330, 331, 163	— bond to procure entry, and oath of owner	288
— under register and coasting acts, in particular ports, vide those ports	ib.	— oath to entry of baggage	288
Fines and forfeitures under revenue law, how prosecuted	369	— bond to procure oath of owner	289
— when vessels to be sold	370	— oath to entry of returned goods	290
— how distributed	370	— certificate of clearance of do.	290
— how remitted	370, 1	— bond to procure do.	290
Fisheries, bounty on vessels engaged in	150, 151	— certificate and permit to land	291
— agreement to be made with men employed therein	149	— report of tea, wines, and spirits	286
		— certificate of importation of do.	297
		— do. of do. for each cask, &c.	297
		— oath on transportation of goods coastwise	301
		— receipt from storekeeper	302
		— oath of appraiser	303
		— bond for payment of duties	306
		— outward manifest of cargo	313
		— oath to do.	313
		— clearance	313
		— shippers' outward manifest	316
		— oath to do.	316

	Page.		Page.
Forms of oath of office for revenue officers	318	I.	
— return of weigher	322	Importation of goods	275
— do. guager	322	— of exported articles	275, 289
— do. measurer	322	— not to be made in vessels	280
— do. inspector of unladen	324	less than 30 tons	281
ing of goods	326	— of ale, beer, porter, sugar, and spirits	281
— bond of collector	328	— of the vessels containing them prescribed	281
— oath of deputy do.	355	Insurance, vide Assurance.	
— entry of pickled fish for bounty	355	Invoices of import. goods to be made	285, 292
— oath to do.	355	— when to be produced	292
— permit	355	— if owners of do. reside out of the U. S.	282
— entry of merchandize exported for drawback	357	— how to be authenticated	283
— direction to surveyor	358	— when goods to be appraised,	292
— oaths to entry	358	if without invoices	292
— entry of do. to be transported coastwise for exportation, for drawback	359	— if value of goods exceed prices of	304
— entry of do. upon arrival	360	J.	
— certificate of importation of do.	360	Jamaica, comm. regulations of	432
— oath to entry	361	L.	
— permit	361	Leakage allowance	311
— certificate on exportation of do.	362	Leghorn, comm. regulations of	403
— debenture certificate	362	Lisbon do.	403
— bond for landing abroad	363	Liverpool do.	404
— certificate of consignee of do.	364	London do.	407
— oath of master and mate of do.	365	Licensing of vessels, how done	157
— certificate of consul of do.	365	Licensed, registered vessels may be	158
— entry of domestic spirits for bounty	366	— vessels without, when to be forfeited	159
France, vessels of	450, 450	— when to be returned	159
— treaty with	450	— to be inspected	159
— custom house regulations of	380	— how to carry certain goods	160
Fraud in policy	102	— when to give manifests	160
Freight	75	— enter and clear	256
— cargo answerable for	76	— when to report arrival	102, 256
— when due	77, 78	Louisiana pilot laws	199
— for what due	76	M.	
— mother of wages	125	Madras moneys, weights and measures	454
— for passengers	77	Manifest of cargo imported	276
— for cattle	77	— when to be made	276
G		— to whom to be delivered and when	276
Georgia pilot laws	198	— how to be endorsed	276
— quarantine laws	236	— of coaster	257
— passenger do.	253	— of cargo exported.	313
— wreck do.	448	— of shippers of do.	314
Gibraltar commercial regulations	398	Marseilles, comm. regulations of	408
Glasgow do.	399	Martinique do.	440
Grenada do.	432	Maryland pilot laws	187
Guadaloupe do.	440	— quarantine laws	227
H.		— passenger do.	250
Havre de Grace, comm. regulations of	402	— wreck do.	446
Havana do.	437	Masters of ships	116
Hayti do.	429	— duty of	116, 117, 121
Holland, vide Netherlands.		— authority of	117, 118
Hospital money to U. S.	132	— liability of	117—119
— to New-York	132, 217, 218	— has no lien upon the ship	119
— to Connecticut	212	— how to clear vessel	312
— to Pennsylvania	219, 220	— duty upon discharge,	
— to New-Jersey	219	ing seamen in foreign country	120
— to South-Carolina	236	— must make an agreement in writing with crew	125
— Georgia	238	— when to report arrival	277

	Page.		Page.
Masters of ships when to enter protest	274	New-York	do. 412
— must have manifest	275	Nice	do. 417
— must produce do. to		Nova Scotia	do. 418
— custom house officer	276		O.
— duty of, when bound		Owners of ships	114
— to different districts	278	— how may become so	114
— to specify sea stores in		— liable for repairs	115
report	280	— liable for neglect or miscon-	
— to bring home Ame-		— duct of master	115
rican seamen 120,	131	— requisites to become owners	152
— to give collector a		of American ships	115
list of crew	120	— not agreeing about ship	
Massachusetts's pilot laws	174		P.
— quarantine do.	204	Panama, comm. regulations of	393
— passenger do.	239	Passengers laws of the U.S. concerning	238
— wreck do.	443	— New Hampshire	239
Mexico	do. 408	— Massachusetts	239
Morea	do. 411	— Rhode Island	240
Moneys, vide Currency.		— Connecticut	241
Montserrat comm. regulations	432	— New-York	241
Mutiny	142	— New-Jersey	243
		— Pennsylvania	243
N.		— Delaware	248
Naples, Comm. regulations of	412	— Maryland	250
Navigation acts.—Foreign goods to		— Virginia	252
be imported only from the place		— North Carolina	252
of manufacture or produce	168	— South Carolina	451, 253
— British vessels, when denied ad-		— Georgia	253
mission	168	Pay of navy officers and men	138
— do. to give bonds not to proceed		Pension fund, how constituted	139
to certain British possessions	169	— who entitled to	139, 140
— no goods admitted from certain		— proof of right to do. how	
British possessions except produced		made	140
or manufactured there	169	Peru, commercial regulations of	418
Navigation acts	168, 172	Petersburgh	do. 420
Navy, rules and regulations for	132	Philadelphia	do. 423
— duties of commanders	132, 133	Pilotage at Amsterdam	378
— pay of officers	138	— Bordeaux	381
— rations	138	Vide the ports.	
— crimes and offences committed	133	Pilots, duty of	172
in do.	133, 4, 5	Pilot laws of New Hampshire, con-	
— duties of officers	ib.	— cerning	173
— duties of seamen	ib.	— Massachusetts	174
— prize money, how distributed	137, 8	— New-York	177
— ships, how named	139	— Pennsylvania	185
— flag of U. S. what	139	— Maryland	187
Netherlands, moneys, wts. and meas.	372	— Virginia	451
— commercial regulations of	373	— South Carolina	191
Nevis	do. 432	— North Carolina	194
New Hampshire pilot laws	173	— Georgia	198
— quarantine do.	201	— Louisiana	199
— passenger do.	239	Piracy, what, and how punished	142, 144
New-Jersey passenger laws	243	Port charges, vide the port, chap. 28.	
— quarantine do.	218	Port au Prince, comm. regulations of	431
— wreck do.	444	Policy of assurance, vide Assurance.	
New-York pilot laws	177	Porter to be imported, how	281
— wreck laws	444	Porto Bello, commercial regulations of	393
— quarantine do.	212	Porto Rico, commercial regulations of	410
— passenger do.	241	Post office law	450
North Carolina pilot laws	194	Prize money, how distributed	137, 138
— quarantine do.	232	Protest of vessel putting in in distress	274
— wreck laws	447	— on account of damage, &c.	117
— passenger do.	252	Pennsylvania pilot laws	185
New-Brunswick comm. regulations of	418	— quarantine laws	219
Newfoundland	do. 418	— passenger do.	243

	Page.		Page.
Q.		Ships, how to proceed when master is	
Quarantine laws of the U. S.	200	changed	155
— New Hampshire	201	— when sold, how to proceed	155
— Massachusetts	204	— when altered do.	155
— Rhode Island	208	— bill of sale necessary	156
— Connecticut	210	— to have name painted on stern	155
— New-York	212	— register, when to be returned	155, 6
— New-Jersey	218	— when new register may be pro-	
— Pennsylvania	219	— cured	155
— Maryland	227	— when sold by legal process	156
— Virginia	231	— what penalty attached to not	
— North Carolina	232	— being registered	153
— South Carolina	234	— when to be registered anew	156
— Georgia	236	— how recorded	156, 7
R.		— how enrolled	157, 159
Recording of ships, obsolete	449, 156	— seaworthiness	105
Registering of ships, how done	153	— how if owner reside abroad	152
— not required to be done	153	— registered, may be enrolled	158
— privileges of registered		— penalty for trading without en-	
ships	152	— rollment	159
— where vessel is in ano-		— rules to which enrolled vessels	
— ther district	152	— are subject	159
— transfer of regist. ship	155, 156	— when to enter and clear	160, 161, 256
— when master is changed	155	— when to report arrival	168
— name of ship to be painted	155	— American, when to have passports	164
— bill of sale	156	— do. when to have sea letter	165
Revenue cutters	254	— papers necessary for	166, 167
Rhode Island quarantine laws	208	— American custom house regula-	
— passenger do	240	— tions for, when trading with foreign	
Rossetta com. regulations	371	ports	274
Rotterdam, commercial regulations of	419	— arriving to report before depar-	
S.		— ture	277
Sail cloth, weight of each bolt	43	— licensed not to carry certain ar-	
Salvage	99	— ticles	160
Savannah, comm. regulations of	149	— when to be provided with medi-	
Seamen, duty of	124	— cine chests	127
— must be on board at time in-		— when to have certain provisions	
— sorted in shipping articles	126	— on board	127
— may demand a survey if vessel		— of war not to report	278
— be unseaworthy	126	— foreign, how to clear coast-	
— if absent from vessel, when to		— wise	162, 316
— forfeit their wages	126	— foreign, papers to be delivered	
— may demand $\frac{1}{2}$ of wages due,		— to consul	121
— at every port of unlading	127	— British laws relating to	168—170, 317
— if deserting may be confined	127	— French do.	450, 171
— when to recover penalty for		— Dutch do.	171, 317
— being put on short allowance	127	— Prussian do.	317
— penalty for harbouring runaway	126	— Swedish do.	317
— do. in Virginia	128	— for other matters, vide Custom	
— do. in Georgia	128	— house regulations.—Coasters, Se-	
— may prosecute, if ill treated	124, 129	— rias.	
— to be sent home by American		Slave trade	146
consul	131	— declared piracy	148
— when wages are due	124	— case of Jeune Eugene	143
— where to sue for wages	124	South Carolina pilot laws	191
— when wages are forfeited	124, 125	— quarantine laws	234
Sea stores to be mentioned in entry	280	— passenger do.	253
Sea Letter, when to be issued	165	Spain, commercial regulations of	453
Ships, or vessels, what deemed Ameri-		Stockholm, comm. regulations of	421
can	152	St. Bartholomews, com. regulations of	442
— where registered	153	St. Eustatius, commercial regulations of	441
— in what manner	153	— do.	440
— what may be registered	152	St. Martins do.	442
do. recorded	449, 152	St. Thomas do.	432
do. enrolled	152	St. Lucia do.	432
— how measured	154	St. Vincent do.	432
		St. Christopher do.	432

	Page.		Page.
T.		Weights and measures of Prussia	30, 31
Table of exports	315	_____ Russia	32
_____ of useful articles	13	_____ Venice, Trieste	33
_____ of imports	293	_____ Spain	34
_____ comparative weights of Europe	40, 41	_____ Portugal	35
_____ long measures of do.	42	_____ Italy	36
_____ corn do. do.	43	_____ Turkey	37
_____ currencies of U. S.	47, 48	_____ Barbary States	38
_____ value in federal currency of Eu-		_____ West Indies	39
ropean coins	49	_____ East Indies	454
_____ of value of English invoice in		_____ comparative tables of	
federal currency, with 10 per cent,		weights	40, 41
added for the purpose of estimating		_____ do. of long measures	42
duties at the Custom House	455	_____ do. of corn measures	43
_____ of weights and measures at		Weights, &c. of China	389
custom houses, of the U. S.	22, 23	West Indies, commercial regulations of	429
Tare allowance	309	_____ British do.	432
Tariff of U. S.	332	_____ Spanish do.	437
Tea, custom house regulations con-		_____ French do.	440
cerning, vide Wines.		_____ Dutch do.	441
Tonnage, rule for ascertaining	14, 15	_____ Danish do.	443
_____ duties on American	170, 171	_____ Swedish do.	442
_____ do. Foreign	ib.	_____ Independent do.	429
_____ do. French	456	Wines, distilled spirits, and teas, how	
_____ in foreign ports, vide those		to be reported	296
ports, chapter 28.		_____ how to be entered	296
Transportation of goods coastwise	162	_____ how to be landed	296
_____ for benefit of drawback	353	_____ how to be inspected	298
Trinidad, comm. regulations of	432	_____ duty of surveyor concerning	297
V.		_____ certificate to accompany	299
Virginia pilot laws	453	_____ how duties on teas to be secured	297
_____ quarantine laws	231	_____ how do. on wines and spirits	279
_____ passenger do.	252	_____ teas may be deposited	298
_____ wreck do.	446	_____ wines and spirits do.	298
Virgin Gorda, comm. regulations of	432	_____ vessels containing do. regulation	
W.		concerning	298
Wages, when due	124	_____ if wines and spirits be embezzled	300
_____ when forfeited	125	_____ credit on duties of do.	300
Warranty of assured, non-compliance		_____ drawback on spirits	355
with	109	_____ how to obtain drawback on wines,	
Weights and measures	18, 43	teas and spirits	356, 7
_____ of Great Britain	18, 28	Wreck laws of Massachusetts	443
_____ of U. States	20—23	_____ of Connecticut	444
_____ of Hanover	28	_____ of New-York	444
_____ of France	24, 26	_____ of New-Jersey	444
_____ of Germany	27	_____ of Maryland	446
_____ of Holland	28	_____ of Virginia	446
_____ of Denmark and Norway	29	_____ of North Carolina	447
_____ Sweden	30	_____ of Georgia	448

NAUTICAL WORKS

Published and Sold, Wholesale and Retail, By EDMUND & GEORGE W. BLUNT,

No. 154 Water Street, Corner of Maiden Lane, New York.

BOOKS.

BOWDITCH'S NAVIGATOR, 7th Stereotype edition.

BLUNT'S AMERICAN COAST PILOT, 12th edition.

MERCHANT AND SHIP MASTER'S ASSISTANT.

THE EXPEDITIOUS MEASURER stereotyped, to show the solid contents of packages and casks.

YOUNG SEA OFFICER'S SHEET ANCHOR, or a Key to the leading of Rigging and to Practical Seamanship, a new edition.

SEAMENSHIP AND NAVAL TACTICS, second edition, with **PLATES**.

NAUTICAL ALMANACS, from 1811 to 1834, inclusive.

WARD'S LUNAR TABLES, second edition.

CHARTS.

A CHART, extending from Montauk Point to Cape Antonio, improved by the Government surveys, with Plans of the principal Harbors.

Do. of the Mississippi River, with plan of Mobile, &c.

Do. from New-York to Nova Scotia, including George's Bank.

Do. of the Atlantic or Western Ocean, with an Analysis of the authorities upon which the dangers have been inserted, with plans of George's and Nantucket Shoals, and the Virgin Rocks, on large scales, from actual surveys up to 1832.

Do. of the South Atlantic Ocean, containing more authentic information than any extant.

Do. of the Coast of Brazil from the Line to the River Plate, on a large scale, with plans of Harbors.

A NEW CHART of the West Indies, on six sheets, to be had separate from the Spanish, French, Danish, and English surveys; with plans of St. John's Harbor, Porto Rico, St. Thomas, Port Au Prince, Vera Cruz, Havanna, Matanzas, &c. &c. on large scales, together with views of land, including Commander R. Owen's recent surveys of the Windward Passages, the coast of Honduras, &c. &c.

Do. of the River Plate, on a large scale, from the late surveys, with sailing directions.

Do. of the Coast of Guayana.—**Do.** of the island of Bermudas, with sailing directions.

Do. of the Coast of Labrador.—**Do.** of Newfoundland.—**Do.** New London Harbor.

A NEW CHART of Long Island Sound, surveyed by Edmund Blunt, in the years 1828, '29, & 30.

NEW CHART of New-York Harbor, from Barnegat to Fire Island Inlet, on a scale of 35 inches to a degree, from actual surveys made in the years 1821, '22, '23 and 24, by Edmund Blunt. The surveys of Long Island Sound, and of New-York Harbor, are the only surveys ever taken of the entrances of the port of New-York.

Do. of Bahama Banks and Florida Coast, on a square and large scale; the Bahama Banks, from the surveys made in the sloop Orbit, and by the British Government by De Maine; the Coast of Florida, from U. S. Government Surveys, to the present date, (1831), intended with the Bahama Banks, to complete the whole Florida Coast of the United States.

Do. From New York to Nova Scotia, on a square and large scale, in which all the surveys recently made are introduced.

Do. of the Southern Coast, on a square scale, from Fire Island Inlet to St. Augustine, containing more information than any other Chart extant, with plans of New York, St. Augustine, St. John's, E. F. and Charleston, S. C. Harbors, and Capes Hatteras, Fear, and Lookout, on large scales.

FOR SALE AS ABOVE, a complete assortment of the most improved Charts and Nautical Books of all parts of the world. Nautical Instruments of all kinds, Nautical Instruments repaired with care and despatch.

NOW PUBLISHING, a new Chart of the Banks of Newfoundland, Gulf of St. Lawrence, and Gut of Canso, on a large scale, from actual surveys, calculated for the Fishing and Coal trade.

N. B. This establishment being exclusively Nautical, gentlemen may depend on finding the most recent and useful Nautical intelligence.

May, 1833.

LIBRARY USE
RETURN TO DESK FROM WHICH BORROWED
MAIN LIBRARY
CIRCULATION DEPARTMENT

THIS BOOK IS DUE BEFORE CLOSING TIME
ON LAST DATE STAMPED BELOW

LIBRARY USE

JUN 5 1975

REC. CIRC. JUN 5 '75

LD62A-30m-7,'73
(R227s10)9412-A-32

General Library
University of California
Berkeley

YB 18869.

989511

HE 573

B6

THE UNIVERSITY OF CALIFORNIA LIBRARY

